THE COURT MOVES RIGHT DAVID COLE

TRUMP AS CAESAR KATHA POLLITT

THE Nation.

TRUMP AND THE NRA

Arming the culture war has just begun.

GEORGE ZORNICK

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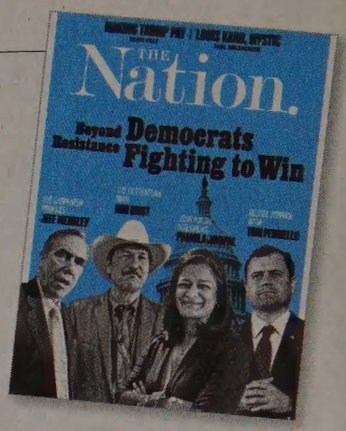

Letters

@thenation.com

Donald Trump:

"No family will have to pay the death tax. American workers have paid taxes their whole lives, and they should not be taxed again at death—it's just plain wrong and most people agree with that. We will repeal it."

Fact:

"Workers" are decidedly NOT paying federal estate taxes: 998 out of every 1,000 American estates do not. The tax affects only the wealthiest 0.2 percent.

And so, a modest proposal:

Since you, dear reader, are highly unlikely to pay federal estate taxes of any kind, no matter what Donald Trump or the right-wing paranoia machine claims, we hope you'll consider leaving something to *The Nation*.

Keep Journalism Alive Even After You're Not

A gift in your will—a bequest to *The Nation*—will help us keep fighting to build a more just world for your children and grandchildren.

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Steve Brodner

Not *That* Unpopular...

In his letter in the June 19/26 issue of *The Nation*, Michael Ferber correctly points out that "there were other reasons Trump won the election besides Russian meddling." But then he adds this snarky comment: "not least that his opponent was so roundly and rightly disliked."

Well, sure, Hillary Clinton wasn't the perfect candidate, but she did win almost 3 million more votes than Trump, which unmasks Ferber's comment as hyperbole and, might I add, "fake news." Clinton won 65.85 million votes compared with 62.98 million for Trump. She lost the presidency because of low turnout by Democratic-leaning voters (exacerbated by GOP-sponsored voter suppression), and the votes for Green Party candidate Jill Stein, in three states: Michigan, Pennsylvania, and Wisconsin. Trump eked out victories in those states of 0.3, 0.7, and 0.7 percentage points, respectively; that's 10,704, 44,292, and 22,748 votes in each state, or a total of 77,744 votes. Those three wins gave him 46 Electoral College votes, enough for a majority.

If Clinton had done one point better in each state, she'd have won the Electoral College vote. In Wisconsin, for example, Trump beat Clinton by a mere 22,748 votes out of more than 2.9 million votes cast. Statewide, Trump received about the same number of votes as Mitt Romney in 2012, but Clinton received almost 240,000 fewer votes than Obama did in 2012.

The statewide decline in voter turnout was particularly devastating in Democratic strongholds. In 2011, Wisconsin Governor Scott Walker and the Republican State Legislature adopted tougher voter-registration laws, including a requirement that voters provide a photo ID. This election-law change had a chilling effect in Milwaukee, the state's largest city, which has a large African-American and low-income population. According to Neil Albrecht, the Milwaukee Election Commission's executive director, voter turnout there declined by 41,000 people between 2012 and 2016, with some of the greatest drop-off coming in districts with "transient, high-poverty" residents. Voter-watchdog groups also said that Wisconsin Department of Motor Vehicles officials gave incorrect information to people seeking to obtain a photo ID. Moreover, in all three states, Stein won more votes than Trump's margin of victory over Clinton. Had most of Stein's supporters voted for Clinton, she would have won enough Electoral College votes to win the White House.

PETER DREIER
LOS ANGELES

Subject, Verb... Violence

Patricia J. Williams's observations on Trump's English are brilliant ["Language Games," June 5/12]. Language controls silently. It takes a mind like Williams's to ferret out "a 'preemptive' self-defender holding at bay the subjunctive mood of probable, pending, or likely victimization." Trump may not be conscious of what his phrasing does, but it's doing the business of autocrats and dictators. I appreciate that Williams caught that.

MARGRETA VON PEIN
ALAMO, CALIF.

DNC MIA

Thank you for the excellent series of stories in the "Beyond Resistance: Democrats Fighting to Win" issue [June 5/12]. Like millions of others, I have participated in numerous protests against Donald Trump's policies. I have written letters to the editor and contacted members of Congress to object to Trump's initiatives. I have attended meetings, signed online petitions, and encouraged others to get involved.

Comments drawn from our website
letters@thenation.com

(continued on page 26)

The Nation.
since 1865

Delayed but Not Dead

The malice in the Republican Party's plan to overhaul the Affordable Care Act was on full display in Senate majority leader Mitch McConnell's office on a recent morning, when Capitol Police officers began dragging disabled protesters out of their wheelchairs and arresting them. It was a perfect, if grotesque, metaphor for the legislation and the process that produced it—written behind closed doors, with the public locked out.

Now we know why McConnell kept his bill hidden. Much like the legislation that passed the House of Representatives in May, the Senate's bill is a jumble of tax cuts and a butchering of Medicaid disguised as a "fix" for Obamacare. The Center on Budget and Policy Priorities estimates that the 400 highest-income taxpayers would receive $33 billion in tax cuts—an amount equivalent to what Alaska, Arkansas, West Virginia, and Nevada spend on the ACA's Medicaid expansion, which covers more than 725,000 people and would end under the Senate plan. In other words, Republicans are willing to scrap coverage for three-quarters of a million poor people in exchange for tax cuts for a few hundred of America's wealthiest citizens.

Remember the Republican furor when it turned out that, under Obamacare, not everyone could keep their doctor? After complaining bitterly about the government's intrusion in the market then, Republicans are pushing a bill that will cause massive disruptions in coverage, insurance markets, state budgets, nursing homes, and rural hospitals. Within the next decade, according to the Congressional Budget Office, the bill will increase the number of uninsured Americans by 22 million—with 15 million losing coverage by the midterm elections next year. Under normal circumstances, that alone would be political suicide. The Senate bill whittles down the subsidies offered to people buying insurance on the exchanges, which means higher out-of-pocket costs and deductibles. "Few low-income people would purchase any plan," the CBO predicts. The bill also leaves people in some counties with no options for buying insurance on the individual market, or with grossly expensive premiums. A 64-year-old earning $56,800 a year would go from a premium of $6,800 to paying $20,500.

Even that fails to capture the full scale of the damage this bill would inflict due to its transformation of Medicaid. Changing the federal government's contribution to state Medicaid programs from open-ended reimbursement to a system of block grants would leave states to fill the gap—or cut people from the rolls. This is both cruel and nonsensical: None of the flaws that the GOP finds in Obamacare have anything to do with Medicaid, which is both popular and effective.

Republicans can't defend this plan, so instead they're lying through their teeth about it. Speaking on CBS's *Face the Nation*, Pennsylvania Senator Pat Toomey claimed that the bill would "codify and make permanent the Medicaid expansion." White House adviser Kellyanne Conway insisted on ABC's *This Week* that the $800 billion in Medicaid cuts "are not cuts to Medicaid" and merely "slow the growth for the future." Speaking after Conway, Senator Susan Collins of Maine offered a welcome bit of honesty: "I respectfully disagree with her analysis. The Senate bill is going to have more impact on the Medicaid program than even the House bill."

Confronted with a handful of GOP defectors refusing to vote for the bill in its current form, McConnell delayed the vote until after the July 4 recess. But that doesn't mean the bill is dead. Recall the aborted House vote to repeal Obamacare in April: After House Speaker Paul Ryan abruptly called it off, reports that the GOP had given up on health-care reform for the rest of the year helped to cool the protests dogging Republican members and allowed the caucus to quietly reassemble. Republicans in Congress may not like their own health-care bill, but they're all looking for a way to vote yes. Now it's up to their constituents to block their path.

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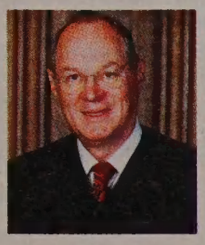
DC BY THE NUMBERS



80
Age of Supreme Court Justice Anthony Kennedy, who is rumored to be considering retirement

1988
Year in which Kennedy was sworn in as the Court's 104th justice

1992
Year in which Kennedy, who was nominated by Ronald Reagan, joined the liberal justices in upholding *Roe v. Wade*

2015
Year in which Kennedy wrote the Court's majority opinion legalizing same-sex marriage

"Your presence on the Court is the only thing that guarantees our rights."

Open letter to Justice Kennedy from *LGBT Nation*, an online news site, asking him not to retire

COMMENT

The Court Moves Right

What a difference an election makes.

Things could have been so different. The Supreme Court's 2016–17 term, which ended with a flurry of activity on June 26, underscores how much liberals and progressives lost by not coming out for Hillary Clinton in the 2016 election in the numbers that had earlier come out for Obama. The Court's term opened in October with eight justices, evenly divided between liberals and conservatives. Virtually everyone expected Clinton to win. In short order, she would appoint the late Justice Antonin Scalia's successor, and the Court would have a liberal majority for the first time since 1972. The possibilities were endless. But Clinton did not win, and the term ended with a nine-member Court featuring Neil Gorsuch, appointed by President Donald Trump to fill Scalia's seat.

It's still early, but initial signs are that Gorsuch will be every bit as conservative as his predecessor, and possibly more so. Thus, as they have been for more than a decade, the Court's rulings in closely divided cases will likely be determined by Justice Anthony Kennedy, a conservative Republican appointed by Ronald Reagan, who is open to argument and has cast deciding votes in cases recognizing marriage equality, ending the death penalty for juveniles, and preserving affirmative action. But if Trump gets an opportunity to replace Kennedy—or Ruth Bader Ginsburg or Stephen Breyer, all of whom are near or over 80—that moderating influence will disappear, and the Court will be as conservative as it has been in a century.

It looks like Gorsuch will be just as conservative as Scalia.

The most encouraging decisions of the recently concluded term involved free speech. In *Matal v. Tam*, the Court ruled unconstitutional a federal law denying registration to trademarks that "disparage" individuals. The trademark office had refused to register "The Slants," the name of an Asian-American rock band that sought to repurpose and reclaim an ethnic slur. In language that seemed as directed at campus speech controversies as at the case at hand, Justice Samuel Alito wrote for the Court: "Speech that demeans on the basis of race, ethnicity, gender, religion, age, disability, or any other similar ground is hateful; but the proudest boast of our free speech jurisprudence is that we protect the freedom to express 'the thought that we hate.'" Every justice agreed that the law was invalid.

In *Packingham v. North Carolina*, the Court was again unanimous, striking down a state law that made it a crime for individuals who had once been convicted of a sex offense to use social-networking sites that permit children to become members or to create personal Web pages. The law had been applied to a man who celebrated a victory in traffic court by posting a message on Facebook thanking God. In a decision that will almost certainly be cited in every Internet speech case that follows, Justice Kennedy maintained that the Internet has become a critical venue in the marketplace of ideas, and invalidated the North Carolina law as far too sweeping.

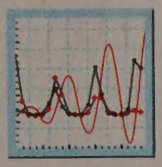
A third significant First Amendment case, *Trinity Lutheran Church v. Comer*, involved the religion clauses, and specifically whether a state could decline to give financial assistance for playground renovation to an otherwise eligible recipient merely because it was a church. The Court's 7–2 decision marks the first time in its history that it has required a state to provide financial assistance to a church. The majority opinion, written by Chief Justice John Roberts, stressed that the aid was for a secular purpose—refinishing a playground surface—and not for religious activities, which is why he may have been able to attract the support of Justices Elena Kagan and Stephen Breyer.

The Court ruled for the defendants in several criminal cases involving egregious constitutional violations. In *Pena-Rodriguez v. Colorado*, the Court held that when a juror indicates that his vote to convict rested on racial prejudice, the general rule barring any consideration of juror statements to impeach verdicts must give way to the Sixth Amendment right to a fair trial. In *Moore v. Texas*, the Court held that a Texas court erred in substituting its own, nonscientific standard instead of following contemporary medical standards in assessing whether a defendant sentenced to die was too mentally disabled to be executed. And in *Buck v. Davis*, the Court held that the use of expert testimony suggesting that a defendant would be a greater risk of posing future danger because he was black was sufficiently extraordinary to warrant reopening his case and finding his defense attorney—who, remarkably, had introduced the expert testimony—constitutionally ineffective.

In other cases, however, a conservative majority blessed procedural obstacles to the vindication of constitutional rights. In *Davila v. Davis*, the Court ruled that when an indigent criminal defendant's lawyer failed to pursue a meritorious constitutional objection on appeal, the defendant, not the lawyer, would suffer the consequences by losing any opportunity to raise the issue in later reviews of the conviction. In another case, *Weaver v. Massachusetts*, the Court held that even a lawyer's failure to object to a "structural" constitutional error—one that affects the entire trial—may not amount to ineffective assistance of counsel justifying relief for the defendant. In these cases, the Court continued its unfortunate practice of visiting the sins of deficient and underfunded lawyers on the indigent defendants they represent.

Most troubling, the Court ruled that high-level executive officials cannot be sued for damages in national-security cases, even when they authorize blatant constitutional violations. The case, *Ziglar v. Abbas*, stemmed from the Bush administration's sweeps of Arab and Muslim men in the wake of the 9/11 attacks. (I was involved in the case at its outset, as a cooperating attorney with the Center for Constitutional Rights.) For purposes of its decision, the Court accepted as true the allegations of the complaint, namely that then–Attorney General John Ashcroft and others authorized the detention under brutal conditions of Arab and Muslim men because of their ethnicity or religion. But it nonetheless ruled that no lawsuit for money damages could

(continued on page 8)



THE SCORE/BRYCE COVERT + MIKE KONCZAL

Soaring Prices

Everyone benefits from our roads, water systems, schoolhouses, and electrical grids, and everyone chips in to keep them running. Today, infrastructure badly needs an infusion of cash. That cash should come from the federal government in order to preserve what makes our infrastructure great: It's a shared asset from which we all reap long-term rewards.

President Trump has another plan to make American infrastructure great again. He wants to privatize it, a plan that would provide exactly zero economic benefit to most Americans. And while privatization promises to relieve taxpayers, it would actually raise costs and then shift them onto the backs of Americans in the form of fees and tolls.

Here's the core of Trump's privatization plan: First, the federal government would offer tax credits to private firms like investment banks, private-equity investors, and private electric and water companies. Then those firms would use the credits to raise the rest of the money they need to fund the upkeep of roads or the creation of new bridges.

Most agreements give companies unchecked power to keep raising rates as long as they own the assets.

Trump's advisers have promised that this approach would involve as little taxpayer money as possible. But for a private firm to have any interest in a project, it will need some way to turn a profit once the project is completed. That comes in the form of higher charges or fees on the Americans who use infrastructure. A private water system, for example, would spike its rates.

These costs can be quite steep. After the city of Chicago privatized its parking meters, rates more than doubled in the city's downtown. Tolls for a privatized road in Indiana also more than doubled. Water rates for a New Jersey town's privatized system have climbed almost 28 percent. Many agreements give companies unchecked power to keep raising rates as long as they own the assets.

Trump's air-traffic-control proposal serves as an example of how privatization is designed to foist costs onto customers. Right now, Americans' tax dollars subsidize air-traffic control and the government controls costs. But Trump proposes to spin the agency off into a privately held company. The new company would set rates—which would no longer be subsidized or controlled by the federal government—passing those costs on to airlines in the form of air-space-usage fees. Airlines will likely tack those increases onto your flight cost, something they can get away with thanks to their monopolistic control over the market.

One major airline, Delta, actually opposes privatization. The company produced a study showing that costs for air travelers would increase 20 to 29 percent, basing those numbers on the costs in Canada and the United Kingdom, where prices rose 59 and 30 percent, respectively, after privatization.

Privatization, with its reliance on fees as a source of profit, also means that Trump's infrastructure plan would ignore important projects. Those in remote or low-income areas, where there aren't enough people to squeeze money from, won't attract private investors. But there is still social and economic utility in maintaining rural roads or replacing the water pipes in places like Flint, Michigan. Other projects, like building better school facilities, levees, or railroad tracks, just don't come with a source of short-term profit.

Trump has positioned his plan as a way to create jobs and get the country on the road to his promised 3 percent growth. But the only way infrastructure projects can do either of those things is if they spur new economic activity. Instead, firms are likely to use Trump's tax credits on work they would have done anyway, such as maintaining or updating water systems and electrical grids.

Meanwhile, Trump's budget cuts $206 billion from federal programs that directly fund infrastructure projects. This includes a $20 billion reduction in the Highway Trust Fund, the biggest source of federal money for transportation, as well as the complete elimination of the TIGER grant program for roads, rail, and transit.

Trump correctly identified that our shared roads, waterways, and transit lines are breaking down after decades of neglect. But giving our assets away to the highest bidder will only increase the damage.

Bryce Covert

If Trump privatizes air-traffic control ...
Charging airlines instead of taxpayers for air-traffic control sounds good, but it isn't.
... airfares will go up.
1
Companies will raise prices to more than cover the fees.
UNITED
Southwest
DELTA
American Airlines
2
Four major airlines are functionally a monopoly, so they can set fares high.
Delta actually opposes privatization. Its study says it would increase travelers' costs 20% to 29%.
Other countries have tried it. Fares rose:
59%
Canada
30%
UK
Source: Delta study, February 2016

GRAPHIC: TRACY MATSUE LOEFFELHOLZ, PHOTOS: VYTAUTAS KIELAITIS, SERVICKUZ, MEXNX VIA SHUTTERSTOCK

IN VERSE

The G-Man as Bard

Lordy, who knew James Comey could be so poetic? The former FBI director might present a sober, folksy figure in person, but in print, he's a master of evocative imagery and enigmatic phrases—at least when those phrases are sliced and spliced by an actual poet. In "Comey: Cut-up," which originally appeared in the literary journal *Scoundrel Time*, Alissa Quart has reconfigured Comey's Senate Intelligence Committee testimony as free-form verse. No fuzz, we promise.

And then the nature
of the person

To lift the cloud

Criminal in nature

Turning

Grandfather clock

A whole lot of personal pain

Lifting the cloud

Being somebody who loves
this country

These were lies

The nature of its work

As a cloud

Grandfather clock

Lie about the nature

Meant by the cloud

Turning over rocks

Grandfather clock

That's wonderful and painful

Big messy wonderful country

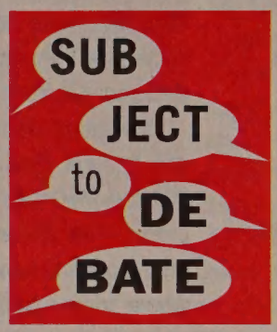
The cloud

Katha Pollitt

Orange Julius

If Trump is Julius Caesar, then Americans are a confused and violent mob.

The Public Theater's controversial Shakespeare in the Park production of *Julius Caesar*, featuring Gregg Henry as a Donald Trump look-alike in the title role, sent me scurrying to my classics shelf to answer the unasked question: Was Julius Caesar anything like Donald Trump? They were both rich, promiscuous, colorful, vain, shrewd manipulators of popular opinion, beloved by many working-class people, insanely ambitious, and able to exploit the weaknesses of their respective political systems. They both bought popular affection with entertainments—Trump had *The Apprentice*, Caesar put on gladiatorial shows. They both had three wives.



That's about it. Caesar was a brave and brilliant military commander whose men were devoted to him. Trump got five deferments and told Howard Stern that risking herpes while having lots of sex was his "Vietnam." Caesar pardoned his enemies—maybe too often; Trump is still tweeting about Hillary and Obama. Caesar employed the foremost scientists of the day to devise a calendar that lasted over 1,500 years; Trump has contempt for science and, indeed, any kind of expertise. Caesar was a widely read polymath and a great writer: *The Gallic Wars*, his seven-book account of his conquests in Gaul, has tested students of Latin for 2,000 years with sentences like "The baggage having been deposited, we pitched our camp along the shore." Our Donald is a proud ignoramus, and how likely is it that students in 4017 will be learning English by studying *The Art of the Deal*? About as likely as that the month of July, named for Caesar, will be renamed Trumpy.

Trump should be honored to be compared to Caesar, who is, after all, one of the towering figures of Western history. That's not how his fans saw it. After Donald Trump Jr. tweeted his objections, Delta and Bank of America withdrew their support, and the National Endowment for the Arts felt compelled to announce that it had nothing to do with the production. The performance I attended was briefly shut down by two protesters who had to be hustled out of the theater. Still, I can see why conservatives are upset, although their claims to be shocked, *shocked*, at the portrayal of the assassination of a sitting president would carry more weight if they had protested when Minnesota's Guthrie Theater put on the play in 2012, with a Caesar modeled on then-President Obama. And let's not forget the comments of recent White House guest Ted Nugent, who called for Hillary to be hanged and told Obama to "suck on my machine gun." No conservative outcry followed that incitement to violence. What bites the objectors, I'll bet, is not the murder, but the satire: Gregg Henry has the lumbering gait, the expansive, impatient gestures, the super-confidence and vulgarity of our own pussy-grabber in chief. But Henry doesn't play Trump as obviously repellent. He's so buoyant with energy and fun you just have to like him, which makes his assassination a genuinely horrifying moment. After the murder and Mark Antony's funeral oration, the performance loses steam. But then, so does the play. Do you even remember the last act?

The protesters could have saved themselves a lot of trouble if they had bothered to read the play first. As others have noted, it's hardly an endorsement of assassination. Living in the aftermath of the ruinous Wars of the Roses, and Henry VIII's traumatic break with the Catholic Church, Shakespeare had a deep appreciation for the virtues of stability. His history plays are as vivid a picture as we have of the horrors unleashed when the state, even a very imperfect one, is overthrown and political freelancers have their way. In *Julius Caesar*, the conspirators are envious malcontents. Caesar is dead right about Cassius's "lean and hungry look." Brutus, the only genuine idealist among the assassins, is so stuck on his self-image of magnanimity that he lets Mark Antony give Caesar's funeral oration—a fatal mistake, because Antony gives the speech of a lifetime and whips the populace into a fury against their supposed liberators. Far from preventing dictatorship and preserving Rome, Brutus and the rest set off a bloody civil war that ends in their own deaths and that of the republic.

> Julius Caesar *is as vivid a picture as we have of the horrors that are unleashed when the state, even an imperfect one, is overthrown.*

Director Oskar Eustis's contemporary interpre-

TOP: ANDY FRIEDMAN; LEFT: CC BY 2.0

FRACKING IS ACCELERATING THE CLIMATE CRISIS

Image credit: Earthworks

Cornell scientists and others say the US fracked gas boom has become a leading driver of global heat records since 2014.

Stopping the spewing of super-potent methane – from fracked wells to power plants – is crucial to averting runaway climate chaos.

Low-wealth communities and people of color are least responsible for global warming pollution but are suffering disproportionately.

Duke Energy, other utilities and the Kochs are driving the fracking boom, fighting methane reduction regulation and suppressing news coverage.

Now is the time: Help slow climate change and advance clean energy!

Help North Carolina become a model for state action on methane.

1. Join the nonprofits, justice leaders and scientists demanding a ban on the import of fracked gas to NC – and a stop to new gas-fired power plants and the Atlantic Coast Pipeline. Go to: *ncwarn.org/ema.*
2. Help organizations directly fighting the fracking boom in other states *(americansagainstfracking.org).*
3. Urge all news media you rely on to cover the fracking-climate-utility connection – and to stop calling natural gas "clean."

NORTH CAROLINA NAACP NC WARN

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Find NC NAACP and NC WARN on Facebook & Twitter

tation makes for exciting theater, but as the play goes on, the literalness of it becomes an awkward fit. In an article by Matt Wolf, Eustis claims that "the basic action of *Julius Caesar* is that a group of idealistic patriots and small-d democrats recognize that their republic is in danger from a leader who is threatening to overthrow democratic norms and establish an outright dictatorship." But "small-d democrats" and "democratic norms" hardly existed in Shakespeare's day. Rome itself was never a democracy, even if you just count free male citizens. It was an oligarchy and a plutocracy with some democratic features, mostly cosmetic; the conspirators belonged to the reactionary senatorial elite, which was interested in preserving its own power. When Eustis portrays the common people as demonstrators battling the police and shouting, "This is what democracy looks like," he wrongs both history and the play. The common people adored Caesar. As the assassin Casca scornfully remarks, in the play's one updated line, "If Caesar had stabbed their mothers *on Fifth Avenue*, they would have done no less." For Shakespeare, the people were a confused and violent mob, easily swayed by passion and demagoguery. In the aftermath of the assassination, they tear the poet Cinna to pieces even after he insists he is not the same person as Cinna the conspirator. In the Central Park production, the poet is killed by the police. That flatters the Manhattan audience's left-liberal sensibilities, but, unfortunately, in history and in Shakespeare, it didn't happen that way.

"Small-d democrats" and "democratic norms" hardly existed in Shakespeare's day—and Rome itself was never a democracy.

A true update of *Julius Caesar* would have to reckon with the fact that a democracy is only as good as its people. Sometimes "what democracy looks like" isn't what we'd like to see. ■

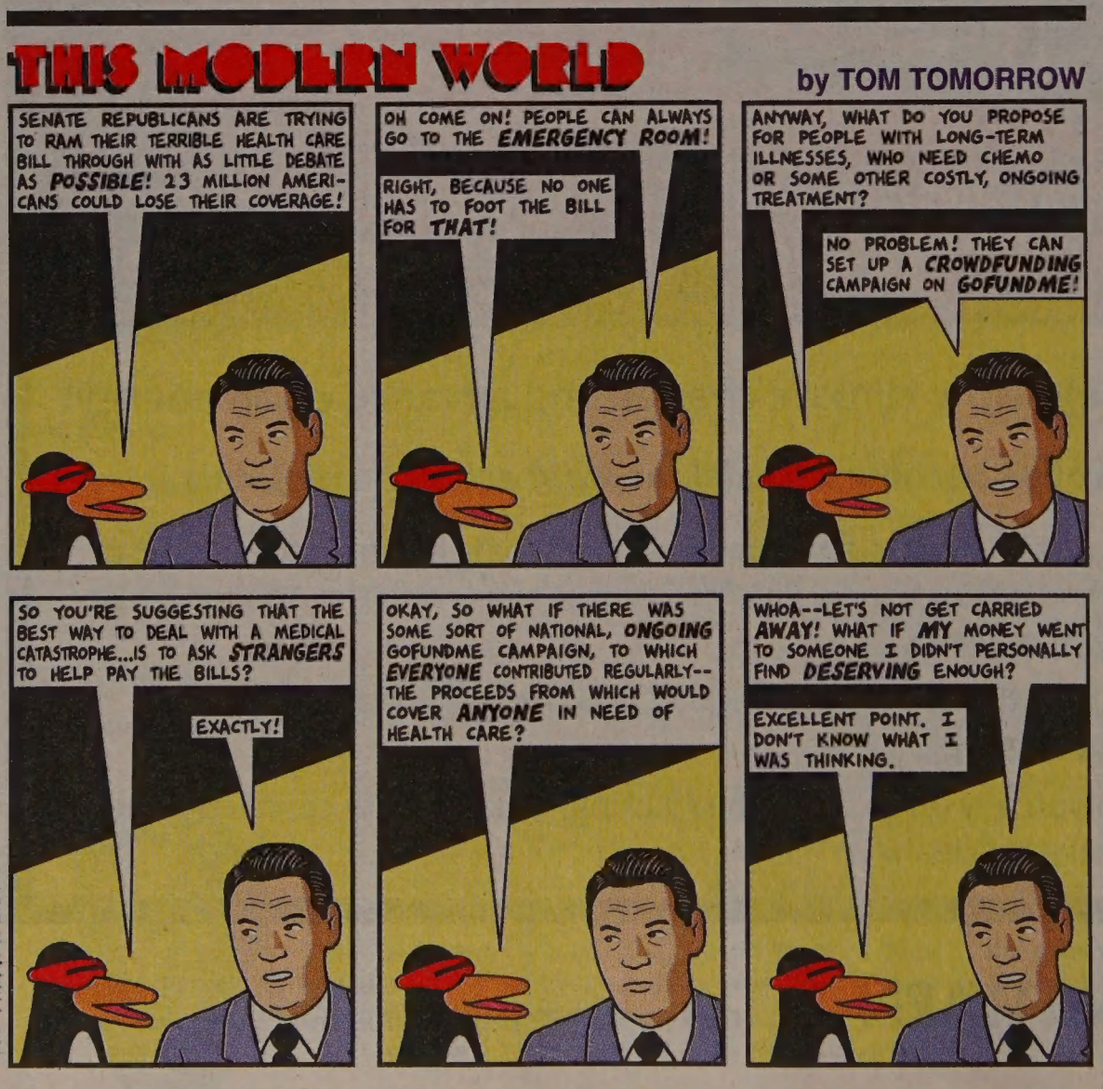
Katha Pollitt is a Puffin Foundation Writing Fellow at the Nation Institute.

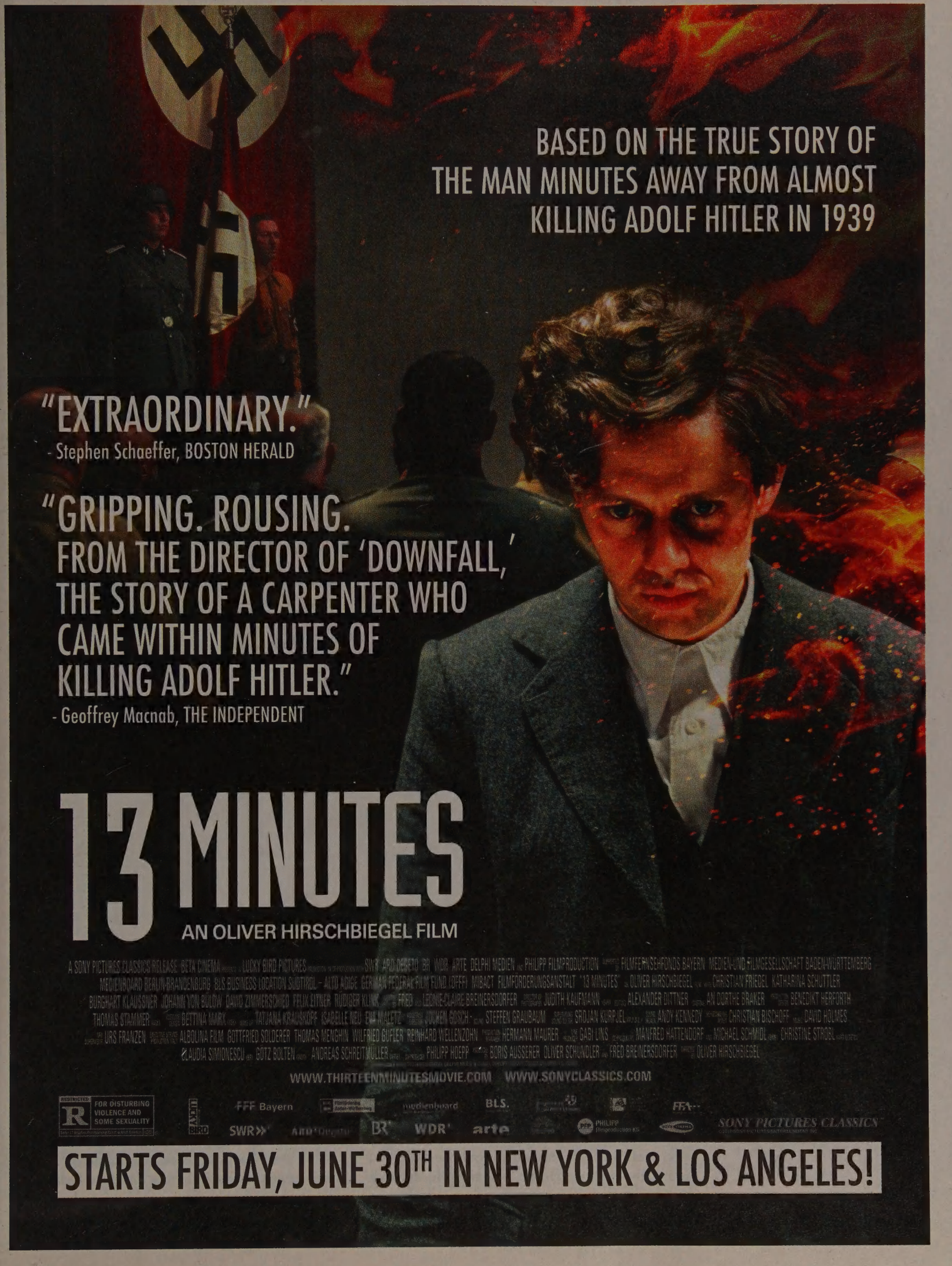
(continued from page 4)

be heard, even though it had previously allowed suits against federal officials for discrimination and abusive prison conditions. The national-security context and the high rank of the officials involved, the Court reasoned, precluded any remedy. But as Justice Breyer argued in dissent, it is precisely in such moments that constitutional limits are most important. The Court's decision, while formally limited to lawsuits for money damages, essentially invites high-level officials to violate constitutional rights in the name of national security with impunity.

Whether this hostility to accountability is limited to suits for money damages or extends more broadly will be tested next term, when the Court will hear the government's appeal in two cases challenging President Trump's travel ban. (I am counsel with the ACLU in one of the cases, *International Refugee Assistance Project v. Trump*.) Thus far, the ban has been enjoined by lower courts on constitutional and statutory grounds, because Trump has made clear that he intends it to fulfill his campaign promise to ban Muslims. The government asked the Court to allow the travel ban to go into effect while the appeal is pending. But the Court did so only with respect to a small set of foreign nationals who have no connection to any person or entity in the United States. The plaintiffs all have such connections and remain protected, as do all foreign nationals connected to a US person or entity. In reaching this result, the Court was careful not to telegraph its views on the merits. But in order to uphold the ban once it hears arguments in October, the Court would have to blindly defer to the president, closing its eyes to what everyone sees: that he intended the order to ban Muslims. The Court engaged in such blind deference once before—in upholding the World War II internment of Japanese Americans in *Korematsu v. United States*. It should not make that mistake again. DAVID COLE

David Cole is the national legal director of the ACLU, legal-affairs correspondent for The Nation, *and a professor at the Georgetown University Law Center. He is the author, most recently, of* Engines of Liberty.


THIS MODERN WORLD
by TOM TOMORROW
SENATE REPUBLICANS ARE TRYING TO RAM THEIR TERRIBLE HEALTH CARE BILL THROUGH WITH AS LITTLE DEBATE AS POSSIBLE! 23 MILLION AMERICANS COULD LOSE THEIR COVERAGE!
OH COME ON! PEOPLE CAN ALWAYS GO TO THE EMERGENCY ROOM!
RIGHT, BECAUSE NO ONE HAS TO FOOT THE BILL FOR THAT!
ANYWAY, WHAT DO YOU PROPOSE FOR PEOPLE WITH LONG-TERM ILLNESSES, WHO NEED CHEMO OR SOME OTHER COSTLY, ONGOING TREATMENT?
NO PROBLEM! THEY CAN SET UP A CROWDFUNDING CAMPAIGN ON GOFUNDME!
SO YOU'RE SUGGESTING THAT THE BEST WAY TO DEAL WITH A MEDICAL CATASTROPHE...IS TO ASK STRANGERS TO HELP PAY THE BILLS?
EXACTLY!
OKAY, SO WHAT IF THERE WAS SOME SORT OF NATIONAL, ONGOING GOFUNDME CAMPAIGN, TO WHICH EVERYONE CONTRIBUTED REGULARLY--THE PROCEEDS FROM WHICH WOULD COVER ANYONE IN NEED OF HEALTH CARE?
WHOA--LET'S NOT GET CARRIED AWAY! WHAT IF MY MONEY WENT TO SOMEONE I DIDN'T PERSONALLY FIND DESERVING ENOUGH?
EXCELLENT POINT. I DON'T KNOW WHAT I WAS THINKING.
TOM TOMORROW©2017


BASED ON THE TRUE STORY OF
THE MAN MINUTES AWAY FROM ALMOST
KILLING ADOLF HITLER IN 1939
"EXTRAORDINARY."
- Stephen Schaeffer, BOSTON HERALD
"GRIPPING. ROUSING.
FROM THE DIRECTOR OF 'DOWNFALL,'
THE STORY OF A CARPENTER WHO
CAME WITHIN MINUTES OF
KILLING ADOLF HITLER."
- Geoffrey Macnab, THE INDEPENDENT
13 MINUTES
AN OLIVER HIRSCHBIEGEL FILM
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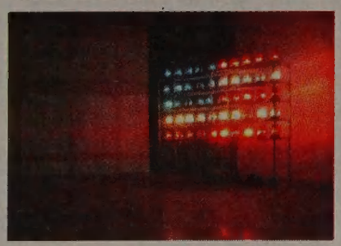
CULTURE

Make Capitalism History

The Museum of Capitalism, curated by Andrea Steves and Timothy Furstnau, is a promising place: Visitors to the Oakland, California, museum are prompted to imagine what the world will be like after the demise of its most dominant and exploitative economic system. The space offers a multifaceted critique through exhibits that address race, mass incarceration, global trade, and the environment. Featured artists include Dread Scott, Sadie Barnette, and members of the Superflex collective. Each exhibitor provides visual cues to reveal capitalism's failures and guide us toward a post-capitalist future. We know another world is possible. These Oakland installations take us there.

—Skanda Kadirgamar

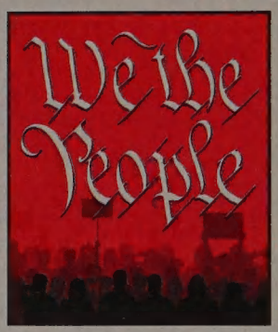


Kai Wright

Devil's Choice

The GOP is using its health-care bill to advance an insidious agenda.

During the House of Representatives' recent appalling debate over health-care reform, pundits liked to point out that the Senate is the more deliberative, serious body. The upper chamber, with its powerful moderate Republicans, would of course craft something more reasonable than the House bill. Instead, the Senate made the lower chamber look like a bastion of civil democracy. Thirteen far-right white men went off in a corner and set the terms for the bill that would eventually emerge—one that the Congressional Budget Office estimates will cost 22 million people their health insurance by 2026, primarily by ending America's decades-old commitment to giving the country's poorest residents access to health care.



Institutions are important. Our government is built on a system of institutional checks and balances that are meant, in part, to rein in extremism. One reading of the first six months of the Trump era is that those institutions work: The lower courts, at least, blocked the travel ban, Congress is conducting investigations, and journalism is rising to the challenge of an administration hostile to the First Amendment. But institutions are only as strong as the principles of the people in them. And an alternative reading of the Trump era thus far is that the people who pride themselves on being the serious, principled keepers of our institutions are missing in action.

That's certainly the story of the Senate's health-care bill. It's not yet clear, as this column goes to press, how the chamber will vote. But it is already clear that there will be nothing like a meaningful discussion of health-care policy under the current Senate leadership. There are certainly important questions to be asked about insurance markets under the Affordable Care Act, and about how to manage Medicaid's share of both state and federal budgets. But if we were really debating those things, the Senate's bill would be a nonstarter for several people in the Republican caucus.

Consider two senators, Rob Portman of Ohio and Shelley Moore Capito of West Virginia. They represent two of the states that would be most devastated by either the House or Senate bill, and both have reputations as moderate, serious Republicans who can be counted on to hold the reasonable center against the extremes of American politics. How did they react when Senate majority leader Mitch McConnell finally allowed us all to see the bill that he and his white male colleagues had crafted? Both senators quietly wrung their hands over its vision for Medicaid—while any honest reading of the bill should have sent them screaming to the ramparts of the resistance.

The largest, most consequential proposal in the Senate bill is the same as in the House version: ending Medicaid as we know it. It's not just a repeal of the Affordable Care Act's Medicaid expansion; both bills would cripple the federal government's partnership with states on health insurance for the poor and disabled. Rather than paying a fixed share of all costs, the federal contribution would be capped and dispersed in a block grant to each state. Which is to say, states would be left holding the fiscal bag on a program that is second only to K–12 education in most state budgets.

The devil's choice that follows is clear in both West Virginia and Ohio. Because so many West Virginia residents are mired in poverty, the state's Medicaid program is uniquely dependent on federal support: It ranks just behind Mississippi in the share of costs that the federal government picks up—roughly 73 percent, according to the Kaiser Family Foundation. Ohio, meanwhile, is among the nation's most populous states and thus has one of the largest and most expensive Medicaid programs. In both cases, without a true federal partner, state officials will either have to massively raise taxes or cut the cost of their Medicaid programs dramatically. And the only way to make Medicaid cheaper is to get rid of its largest cost: long-term care for seniors and people with disabilities.

States will have to massively raise taxes or make Medicaid cheaper by ending long-term care for seniors and people with disabilities.

Given this simple math—and the political ramifications for state officials forced to kick people out of nursing homes—you'd think that centrists like Portman and Moore Capito would be

LEFT: COURTESY OF THE MUSEUM OF CAPITALISM

leading a party revolt. Yet both senators have moved just as quietly and cautiously as they and other GOP centrists have for two years now, ever since Trump descended an escalator in midtown Manhattan to deliver a racist word salad that would win him the presidency.

Where is the principled outrage of the Republican center? Where are the individuals who have the power to move our institutions against extremism? We may be waiting some time for them to finally speak up, and the Senate's health-care bill suggests why: because the Trump era presents an opportunity to complete the agenda that has animated the right for 50 years.

The "administrative state" that White House chief strategist Steve Bannon has vowed to destroy is actually the federal apparatus we built in order to make good on the promises that the postwar movements for social justice won. We reached consensus that it was time to finally take down the racial and gender hierarchies that America's founders built, and a set of political and economic rights followed from that agreement. But where are those rights now? Welfare—a program designed to give poor women a fighting chance at the American dream—doesn't exist in any meaningful way. Schools are as separate and unequal as ever. The Supreme Court has disarmed the Voting Rights Act. The system we created to allow non-European immigrants into the country has collapsed from willful neglect.

Medicaid is perhaps the largest remnant of the Great Society, providing insurance to nearly one in five Americans. The ACA's greatest political sin was its reaffirmation of the idea that informs the program: that government has a role in ensuring equity for all Americans. The question now for serious, responsible Republicans is this: Are they more dedicated to their party leadership's jihad against that idea, or to the citizens they actually represent? ■

The ACA's greatest political sin was reaffirming that government has a role in ensuring equity for all Americans.

SNAPSHOT/PETROS GIANNAKOURIS

Fury in Greece

A protester shouts during a demonstration of thousands of striking municipal workers outside the Interior Ministry in Athens, Greece. The workers have been fighting for permanent, full-time jobs instead of temporary contracts in the austerity-ravaged capital city.

AP PHOTO

Calvin Trillin
Deadline Poet

TRUMP HAS NO COMEY TAPE

Again this confirms what world rivals believe,
And makes our diplomacy all that much tougher.
In dealing with Trump they can all be assured
He's not just a liar, he's also a bluffer.

BACK ISSUES/1867

Equality Is a Good Thing, But...

Leah Douglas writes this week about the legal seizure of land owned by descendants of the enslaved. One hundred and fifty years ago, *The Nation* published an editorial denouncing former abolitionist Wendell Phillips's proposal that each emancipated family receive 40 acres as reparation for their involuntarily servitude. Once supportive of the Reconstruction project, the magazine by then had already begun to turn its back on the freedmen. The terms in which that shift was made—in *The Nation* and in the nation—are seen clearly in the editorial, which pairs a refusal to compensate the plundered and dispossessed with ■ defense of the privileges of the rich. See if you can't hear in it hints of certain ideas that remain in circulation today, long after what should have been their expiration date:

"Equality is a good thing, but there are certain transactions which it cannot redeem. A division of rich men's land amongst the landless, as the result of a triumph at the polls, would give a shock to our whole social and political system from which it would hardly recover without the loss of liberty. Every election would thenceforward threaten property, and men of property, we may be sure, would find, as they have found under similar circumstances in all countries, the means of protecting themselves—but not through constitutional government."

—Richard Kreitner

The Nation.

TRUMP AND THE NRA

Arming the culture war has just begun.

by GEORGE ZORNICK

A BEAMING DONALD TRUMP STOOD BEFORE HUNDREDS OF NATIONAL RIFLE ASSOCIATION MEMBERS AT THEIR annual meeting in Atlanta this past April. "You are my friends, believe me," he said, as the crowd hooted and hollered for the first sitting president to appear at the NRA's national convention in more than three decades.

It wasn't supposed to be this way. Back in November, voters were overwhelmingly going to elect Hillary Clinton, easily the most pro-gun-control presidential candidate in history. When Clinton named Tim Kaine, another gun-control supporter, as her running mate, advocates were ecstatic. "This ticket clearly shows that there's a sea change in the politics of this issue," Mark Kelly told reporters before his prime-time speech at the Democratic National Convention. Kelly is the former astronaut who co-founded the gun-control group Americans for Responsible Solutions with his wife, former Arizona representative Gabby Giffords, who was left with a severe brain injury after being shot in the head in an assassination attempt in 2011. They believed that the days when an assault-weapons ban by a Democratic president could cost his party its control of Congress, as happened with the Democrats under Bill Clinton, were over. "Clearly, it's not 1994 anymore," Kelly said.

No, it's 2017, and a triumphant Donald Trump owes the NRA bigly: The organization spent over $30 million to get him elected, making it one of the biggest pro-Trump groups. And the payoff is coming. In his NRA speech, Trump announced "news that you've been waiting for a long time: The eight-year assault on your Second Amendment freedoms has come to a crashing end."

Over the years, the NRA has steadily transformed itself from a calm advocate for hunters and sportsmen to a primal outlet for hard-right paranoia, and it's long been treated carefully by Republican presidents. Though Ronald Reagan made a point of addressing the national convention, former president George H.W. Bush quit the NRA after the Oklahoma City bombing, when the group was seen as too close to the right-wing militia culture that produced Timothy McVeigh, and George W. Bush never showed up at the annual meeting as president.

Trump is an entirely different story. Not everyone in the pro-gun movement embraced him at the start of his campaign. When I interviewed gun-rights activists during the Republican primaries, the sober types—those who undertake the mission of expanding gun laws with the same zeal that Grover Norquist displays for cutting taxes—were distrustful of Trump, a longtime Manhattan resident with no policy record on guns, except for supporting an assault-weapons ban when he was flirting with a presidential run in 2000.

But Wayne LaPierre, the NRA's executive vice president and CEO, and its public face, identified his man immediately. When candidate Trump talked about immigrants from Mexico who might be rapists and drug runners, railed against sanctuary cities, brought the mothers of people killed by undocumented immigrants onto the stage at the Republican National Convention, and spoke in ominous tones about crime overtaking American cities, he seemed a natural part of the movement that LaPierre has been building for decades. And Trump received the earliest presidential endorsement in the NRA's history.

LaPierre understands the gun-rights movement as a culture war first and a battle over gun laws second. Before Trump spoke at the annual meeting, LaPierre declared: "It's up to us to speak up against the three most dangerous voices in America: academic elites, political elites, and media elites. These are America's greatest domestic threats."

"Academic elites, political elites, and media elites. These are America's greatest domestic threats."

—Wayne LaPierre, executive vice president and CEO of the NRA

The gun industry has been experiencing a dramatic decline in sales—which have declined 10 percent in the six months since Trump was elected compared with the same period last year—so this culture of fear is vital to gin up demand for guns as necessary self-defense accessories, thereby creating a new generation of buyers, and to garner support for radical new legislation that will put "good guys with guns" virtually everywhere. And President Trump is a vital ally in this effort, because he traffics in the same anxieties.

A wave of permissive new gun laws is now being written in Congress and statehouses nationwide, and if they're enacted, a nation already in the midst of a furious internal arms race will become saturated with even more weapons in even more public spaces. This year, there have been more than 7,407 gun deaths—almost 42 per day—and 168 mass shootings, including the recent attack on congressional Republicans practicing softball by a gunman who shot four people, including House majority whip Steve Scalise. There's no reason to think the bloodshed will slow down.

Domestic Threats

IN A SMALL CONFERENCE ROOM ABOVE THE EXHIBITION floor at the NRA convention, Steve Tarani is giving a presentation—"Current and Emerging Threats: How It Affects You!"—sponsored by the outdoor-supply store Cabela's. Tarani presents himself as a former CIA employee who worked briefly on Trump's security detail, and he wants the members of the assembled crowd

The president's big bang: Attendees watch Donald Trump address the NRA convention in Atlanta on April 28.

AP PHOTO / DAVID GOLDMAN

to understand the "active threats" in their daily lives.

"The Department of Homeland Security defines an 'active threat' as any bad thing, basically, that can happen to good people," Tarani says, clicking through PowerPoint slides of terror attacks, protesters clashing violently with police, and a map of "migrant streams" from Mexico with cartoonish red arrows crossing every inch of the southern US border. He tells his audience that "Al Shabab, Al Qaeda, ISIS members, etc., in addition to these capos" from Mexican drug gangs, are traveling along the bright-red routes into "sanctuary cities" across the country. "Let me ask you: Do sanctuary cities contribute to the safety of our communities?" Tarani asks, as people throughout the room shake their heads in response. "Not in any way," he intones. "Not in any way."

All of this sounds terrifying and dark, but it's actually meant as a peppy self-help speech: "It is MY responsibility," another slide reads. Don't wait for someone else to confront these active threats, Tarani counsels. Do it yourself. And always be aware.

"If you're at home, you're in front of the TV, your alarm is set, you have the three Dobermans on your bed. You have two pallets of ammo. An M4… and an M203." (The latter is a grenade launcher that can be attached to an M4.) "And two .45s on the other side," Tarani jokes. "You're in a pretty secure area." But the real world is a different story: "President Trump is going to be here in just a matter of hours. Do you think the possibility of an attack is high here? Absolutely," he warns.

This overwhelming sense of fragility and fear isn't exclusive to Tarani's session. Throughout the several days of the convention, the NRA offers its "Refuse To Be A Victim" class, another militant twist on self-care. Attendees are given big glossy books on what kind of security systems to buy and where to properly locate a safe room inside the house, and they're encouraged to teach this class back home; the NRA has trained about 1,000 citizen instructors nationwide. In Atlanta, the class is being taught by Maj. Ed O'Carroll of the Fairfax County, Virginia, police. He asks how many people are armed, and hands shoot up across the room. Two men up front complain that they would've brought their guns, but, one huffs, "we thought we were going to see the president." (They didn't get into his speech.) "Other than that, never happens," the second man says of his currently unarmed state. "Not comfortable."

One hazard of carrying a gun everywhere on a near-hysterical level of alert is that you might shoot someone and get sent to prison for it. But the NRA conference has a solution: "Carry Guard" insurance, which is promoted absolutely everywhere at the convention. For $31.95 a month, you get $150,000 in criminal-defense insurance and $1 million in civil-liability insurance if you shoot someone in self-defense but lose a court battle over it. The plan also offers a 24-hour emergency-help line, immediate access to bail money, and funds for "psychological support and clean-up costs."

All of this paranoia is focused on a particular set of bad actors. The vast majority of the NRA attendees are white, and the imagined threats at all of the panels—Mexicans, Islamic terrorists from the Middle East and Africa—are not. Studies clearly link gun ownership and opposition to certain gun-control laws with expressions of racism. This is not to say that every gun owner is racist, of course, or that all racists are armed. But using interviews from voters in a 2008–9 panel study, a group of four researchers found that for every one-point increase in symbolic racism—as measured by questions like "How well does the word 'violent' describe most blacks?"—there was a 50 percent increase in the chance of that person having a gun in their home, and a 28 percent increase in the odds that they support concealed-carry legislation.

An openly racist and pro-gun candidate like Donald Trump was ultra-compatible with this NRA culture, despite his negligible record on guns. And Trump was the perfect foil for the first Democratic candidate to run on gun control in decades. (Given Barack Obama's post–Sandy Hook crusade, people forget that he avoided gun control like the plague during his 2012 re-election campaign, even when the theater shooting in Aurora, Colorado, happened right in the middle of it.)

Clinton's gun-control positions also appear to have hurt her among voters who flipped from Obama in 2012 to Trump four years later. Demos analyst Sean McElwee constructed an index of views on gun policy. Using data from the Cooperative Congressional Election Study, he created a logistical model to predict Obama-to-Trump voting, controlling for race, religion, political party, education, gender, racial attitudes, ideology, and age. Views on guns turned out to be a statistically significant predictor of former Obama voters switching to Trump.

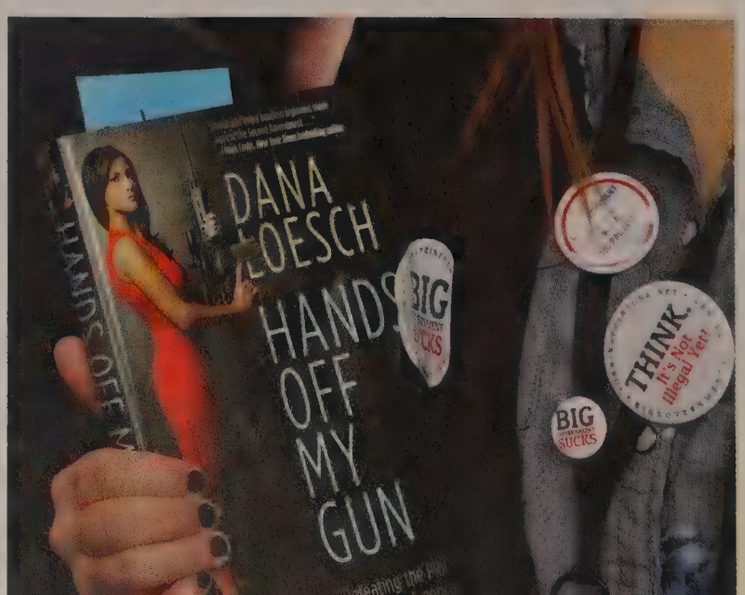
That political affinity is on display throughout the convention: There are "God, Guns, and Trump" shirts everywhere, and more Benghazi-related T-shirt slogans than one might expect six months after Hillary Clinton became a private citizen. When Tarani describes how not to be a seen as a "soft target," he shows side-by-side pictures of a movie-style sniper and a small lamb. "Probably somebody that voted for Hillary," he says dismissively of the latter.

THIS YEAR IN GUN DEATHS

7,407
American gun deaths in 2017 so far

42
Approximate gun deaths per day in the United States

168
Mass shootings committed in 2017 (with "mass shooting" defined as an incident in which four or more people are shot)



Hired gun: Dana Loesch provides the heavily male NRA with a popular female spokesperson.

REUTERS / MIKE THEILER

Gun Capitalism in Decline

THE NRA CONVENTION CAN create a sense of grim wonderment—it's like a great World's Fair of guns. There are 15 acres of displays inside the cavernous Georgia World Congress Center, with thousands upon thousands of weapons, ammunition, and all sorts of innovative accessories—laser sights, scopes, and holsters, including one that mounts

beneath your steering wheel just in case you need quick access to a gun while driving. The display weapons aren't loaded, and people are free to pick them up and try them out, creating a constant symphony of metallic clicking as you walk around the floor. (A host for NRATV, a 24-hour online news channel with a remote studio in the middle of the exhibition floor, declares it the "safest room in America." In the presence of all these guns, potentially wielded by people who just purchased insurance that provides instant bail money, I am skeptical.)

The gun industry is almost as old as the country itself; the familiar names of Smith, Wesson, Colt, Remington, and Winchester belong to men who started manufacturing and selling guns well before the Civil War. But contrary to the myth that a love of guns is in our country's DNA, with every red-blooded American naturally feeling incomplete without a personal firearm, it was these same businessmen who created our current gun culture, as the historian Pamela Haag demonstrates in her excellent book *The Gunning of America*. The country wasn't well-armed before either the Revolution or the Civil War, and the populace for many decades wasn't particularly interested in buying guns: Many of the early gun companies failed, or relied on large government subsidies or international markets to survive.

The early gun capitalists—who also manufactured and sold all sorts of items, from men's shirts to sewing machines and cotton gins—created the gun culture largely on their own, employing brilliant innovations and marketing schemes. "The gun culture that exists today in America developed out of an unexceptional, perpetual quest for new and larger markets that had exceptional social consequences," Haag writes. "The tragedy of American gun violence emerged from the banality of the American gun business."

No doubt the 19th-century gun capitalists would have been amazed by the flashy displays and powerful weaponry on exhibit in Atlanta. But these kinds of pageants don't convey the very real stress in the gun industry, which in a broad sense is in decline. Half of American households used to own a gun; now only a third do. Increased development in rural regions is decreasing the number of hunting areas each year, and unusually warm autumns and winters have been disrupting hunting seasons.

As it turned out, the Obama administration provided an eight-year sugar high for the industry, with imagined fears of a nationwide gun-confiscation program fueling sales. Particularly after the Sandy Hook massacre in Newtown, Connecticut, in 2012, industry profits boomed: There were 19 straight months of increased year-over-year sales, according to FBI background-check data. (There is no public tracking of gun sales nationwide.) But as soon as Trump was elected, stock prices for the major gun companies plummeted, and they haven't fully recovered. In April, a full third of the outstanding shares in Sturm Ruger, for example, are short bets.

"In the firearms segment, we've experienced the expected slowdown in demand for modern sporting-rifle products and handguns post the presidential election," said Steve Jackson, chief financial officer of the Remington Outdoor Company, which now owns some of the biggest gun manufacturers in the country. Speaking to investors in an early April conference call, Jackson noted that inventory levels were problematically high, because "retailers and wholesalers expected a different political climate and hunting season that did not materialize." Most of the publicly traded firearm companies reported similar situations in their first-quarter reports for this year.

AP PHOTO / *HOUSTON CHRONICLE* / JOHNNY HANSON

Big guns, little kids: At the NRA Youth Day in 2013, a girl shoots an Airsoft gun—with some assistance.

Studies clearly link gun ownership and opposition to certain gun-control laws with expressions of racism.

As it always does, however, the gun industry has a plan to revive sales. The modern-day gun capitalists have been designing pocket-size concealed-carry weapons that are being marketed as sensible self-defense tools. Annual statements and earnings calls from the major gun manufacturers make it clear that they see small handguns as the innovation that will turn their numbers around. Remington, for example, introduced the RM380 Micro Pistol in 2015 and last year added the "newly enhanced" R51 concealed-carry pistol. A promotional video for the R51 boasts that it has "snag-free sights for an easy draw from concealment." Most other manufacturers are bringing similar products to market.

Seen in this light, the NRA's aggressive campaign for concealed-carry laws—even as it pushes liability insurance for concealed-carry users—reveals it, at heart, to be a trade group whose sole mission is to boost sales for the industry that largely funds it. The same is true of the Trump administration's immediate moves to increase hunting spaces on public lands and to allow the use of lead ammunition there.

The gun industry now aims to expand its marketing reach beyond the men who reliably purchase its guns. At the Republican National Convention last July, the NRA's top lobbyist, Chris Cox, delivered a prime-time speech about why more women need personal-safety weapons. "Imagine a young mother at home with her baby, when a violent predator kicks the door in," Cox said. "Should she be able to defend herself with a firearm in her own home?" The NRA recently hired Dana Loesch, a highly popular conservative-media figure, as a spokesperson, and she's become a ubiquitous presence on television and social media. The gun-control movement has mainly female leaders, who are often framed as concerned mothers; Loesch is clearly a counter from the NRA, which has never really had a prominent female voice. At the convention in Atlanta, the group also promoted its "NRA Women" program, which offers free training to "female gun enthusiasts of all ages and skill levels," and an NRATV series called *Armed & Fabulous*.

The gun industry also has its eye on the next generation. New lines of weapons designed for young shooters have been rolling off the production

TRUMP AND THE NRA

lines, like the Crickett company's Davey Crickett rifle and other .22-caliber long guns, which often come in bright primary colors and are designed with plastic parts to make them lighter and produce less recoil. *Shooting Sports Retailer* enthused that these weapons "bring the coolness and fun of the tactical rifle to kids and less serious shooters." The NRA also has a "family" branding arm that promotes guns to children on its website, including in "the six- to 12-year-old range."

The Arms Race

THE GUN INDUSTRY'S FAMILY-FRIENDLY PUSH IS in serious tension with its deep current of hard-right paranoia and with the image projected by Trump, who once famously boasted during the presidential campaign that he could shoot someone in the middle of Fifth Avenue and not lose any votes. But buoyed by his NRA supporters, Trump can deliver something that no amount of marketing can: radical changes to American gun law.

The changes began almost as soon as he entered the White House. Trump started with the low-hanging fruit: The Department of Justice issued a memo changing how the FBI defines a "fugitive" for the purpose of placing someone on a no-buy list for federal gun-owner background checks. Until now, the FBI prohibited anyone with an open warrant from buying a gun, but the new DOJ memo defines "fugitive" only as someone who has fled the state where the warrant was issued—so a lot more people with open warrants will be getting their gun purchases approved. Prior to this, from 1998 to 2017, the FBI denied over 175,000 gun sales because of an open warrant.

President Trump also signed legislation that would prevent the Department of Justice from using Social Security records to identify mentally ill people and prevent them from purchasing guns. Obama had added these background checks in 2016, but Congress passed a repeal under the Congressional Review Act. Some mental-health advocates argued that Obama's move stigmatized the mentally ill, but Trump didn't try to make that case; he seemed to understand that making it easier for people with mental problems to buy guns wouldn't be a big PR win. Amid the daily barrage of public bill and executive-order signings early in his administration, the repeal was one of the few things that Trump signed behind closed doors.

The US Army Corps of Engineers, which controls nearly 12 million acres of public land nationwide, has banned almost anyone from carrying loaded weapons or ammunition on this land since the 1970s. But there's a case in the Ninth Circuit Court of Appeals challenging that prohibition, and the Corps signaled in March that it would be dropping its challenge. And on his first day as Trump's secretary of the interior, Ryan Zinke canceled a ban on the use of lead ammunition by hunters on federal lands, which environmentalists worried would damage their ecosystems. Zinke also directed any agency managing federal land to identify areas where hunting could be expanded.

The biggest victory for pro-gun groups in the early days of the Trump administration was the Supreme Court confirmation of Neil Gorsuch, who enjoyed a million-dollar ad blitz from the NRA when the Senate was considering his nomination. Notably, Gorsuch doesn't have any real record on gun control, but the NRA seemed sure that Trump had fulfilled his pledge to use gun rights as a litmus test for choosing a Supreme Court justice, which he'd made at a town-hall meeting during the Republican primaries. (Trump also blithely raised the specter of violence—some thought assassination—if Hillary Clinton won and appointed a pro-gun-control justice. "Nothing you can do, folks," he declared at a campaign rally in August. "Although the Second Amendment people—maybe there is, I don't know.")

The NRA's top priority is concealed-carry reciprocity, which would decimate the strict gun laws of blue states.

But these moves are mere appetizers for the NRA. Its top priority now is to get Congress to pass—and President Trump to sign—concealed-carry reciprocity legislation, which would require every state to recognize a concealed-carry permit issued by any other state. In other words, California—a state with a strict permitting process, in which a person must demonstrate the need for a concealed weapon—would have to allow anyone with a permit from, say, South Dakota to carry a weapon around. (In South Dakota, you can get a concealed-carry permit with a half-page application and a $10 fee; there's no training required, and you're not even fingerprinted.) Under the proposed legislation, if you live in one of the 11 states that don't even require a permit, you'd be able to carry a concealed weapon anywhere you travel.

The next generation: Young people are crucial to the industry's growth strategy, with new guns being designed for shooters 6 to 12 years old.

The NRA presents this as a common-sense bureaucratic fix: You don't have to get a new driver's license to drive through different states, so why do you need a new gun permit? The actual effect, of course, would be to effectively gut more stringent concealed-carry laws nationwide. As the gun debate becomes more polarized, blue states have enacted tough new laws—and concealed-carry reciprocity is an ingenious way around those that the NRA is unable to defeat in state legislatures. The organization is already poised to spend millions on the concealed-carry legislation introduced by Representative Richard Hudson and Senator John Cornyn.

This legislation would be a nightmare for local police, who would have to learn the 50 different state standards for concealed carry and verify that someone with a gun was in compliance with the relevant law. Hudson's bill also contains specific language that allows people to sue police departments or individual officers if their concealed-carry permit is challenged, in order to recoup any legal fees or damages. The clear hope is that officers nationwide will simply stop asking.

Gun-rights advocates are also pushing legislation that would make the ownership of gun silencers commonplace. Right now, you have to spend $200 in fees and undertake months of registration to buy a silencer, but the so-called Hearing Protection Act would eliminate all that and make silencers as easy to buy as guns or bullets.

The House Committee on Natural Resources had to cancel a hearing on the latter bill because it was scheduled for the very morning that Representative Scalise and his teammates were shot. Needless to say, Republicans didn't embrace gun control after the shooting; instead, some pushed for rule changes that would allow them to carry guns in Congress. Meanwhile, Democrats treaded very lightly on the issue, barely mentioning it at all.

These bills face a heavy slog in Congress, even one controlled by Republicans. (Indeed, the Hearing Protection Act has since been folded into the bipar-

(continued on page 22)

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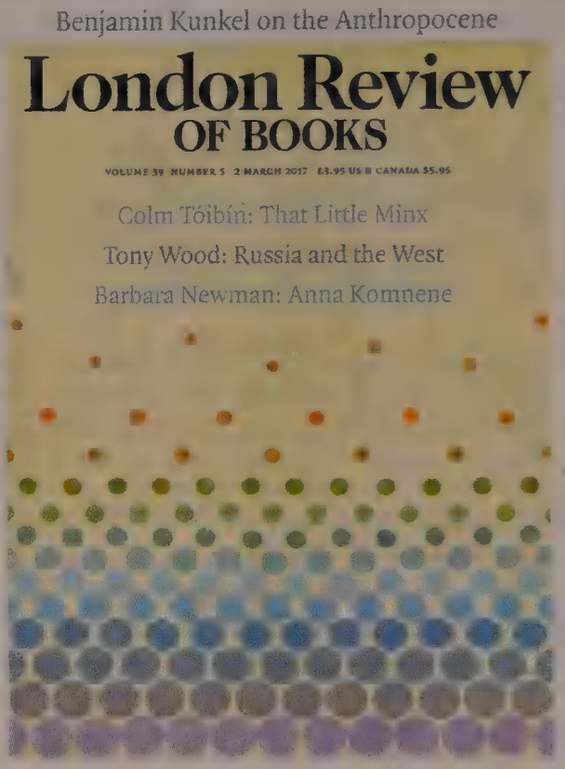
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Stolen Birthrig

DRIVING THE LONG, FLAT ROADS OF HILTON HEAD ISLAND IS HYPnotic. One bike-rental shop blends into another; countless villa-style office complexes advertise real-estate agents and banks. Tourists meander to their cars wearing all white, carrying brightly colored smoothies. Rows of palm trees wave slowly over the crawling traffic. A waterfront hotel looms on the horizon.

Along Allen Road, though, an older version of Hilton Head is preserved. The short street bisects a 38-acre plot and travels past some 23 trailers that house members of the Allen family. Tall oak and pine trees block the sun from flowering shrubs in the sandy soil. The noise from passing cars is drowned out by bird chatter and an occasional shout from one family member to another.

Matthew Allen, now in his 70s, grew up visiting this family land where his father and grandfather grew up. "When [my father] was coming up," he recalls, "they used to…go down to the water to fish. They used to hunt. [They] used to farm the land, used to grow okra, corn, sweet potatoes. They took full advantage of the land."

It was Dennis Allen, Matthew's great-grandfather, who purchased the land on Hilton Head. The son of slaves, Dennis Allen bought his first parcel of nearly 20 acres in 1897, at a time when African Americans were purchasing land across the country. Today, the Allen family owns the largest undeveloped lot on Hilton Head.

But as the land enters its 120th year in the family, the Allens are struggling to hold on to it. Because of ambiguities surrounding the land's title, there is no primary owner of the property; all of the heirs of the original owners—and there are more than 100 known heirs—are legally co-owners. As such, the land is classified as "heirs' property," a designation that makes it vulnerable to being sold without the family's full consent. As the Allens attempt to overcome a stacked legal system—exacerbated by corrupt lawyers and predatory developers—they are at the center of a decades-long fight to retain black-owned land across the South.

IN THE 45 YEARS FOLLOWING THE CIVIL WAR, FREED slaves and their descendants accumulated roughly 15 million acres of land across the United States, most of it in the South. Land ownership meant stability and opportunity for black families, a shot at upward mobility and economic security for future generations. The hard-won property was generally used for farming, the primary occupation of most Southern blacks in the early 20th century. By 1920, there were 925,000 black-owned farms, representing about 14 percent of all farms in the United States.

Over the course of the 20th century, however, that number dropped precipitously. Millions of farmers of all races were pushed off their land in the early part of the century, including around 600,000 black farmers. By 1975, just 45,000 black-owned farms remained. "It was almost as if the earth was opening up and swallowing black farmers," writes scholar Pete Daniel in his book *Dispossession: Discrimination Against African American Farmers in the Age of Civil Rights*. Implicit in the decline of black farming was the loss of the land those farmers once tilled. Today, African Americans compose less than 2 percent of the nation's farmers and 1 percent of its rural landowners.

Many factors contributed to the loss of black-owned land during the 20th century, including systemic dis-

Leah Douglas is a reporter and policy analyst with the Open Markets program at New America. This story was produced in collaboration with the Food & Environment Reporting Network, a nonprofit investigative news organization.

How an obscure legal process helped strip African Americans of their land.

[redacted]

crimination in lending by the US Department of Agriculture, the industrialization that lured workers into factories, and the Great Migration. But the lesser-known issue of heirs' property also played a role, allowing untold thousands of acres to be forcibly bought out from under black rural families—often second-, third-, or fourth-generation landowners whose ancestors were enslaved—by real-estate developers and speculators.

By one estimate, 81 percent of these early black landowners didn't make wills, largely due to a lack of access to legal resources. Their descendants then inherited the land without a clear title, and it thereby became designated as heirs' property. Although heirs' property exists in many regions of the country, it's most prevalent in low-income communities. In the South, according to one estimate, more than 50 percent of heirs'-property owners are African-American, many of them the descendants of slaves and sharecroppers. The Center for Heirs' Property Preservation, based in Charleston County, South Carolina, estimates that there are 105,000 acres of heirs' property in its 15-county service area alone.

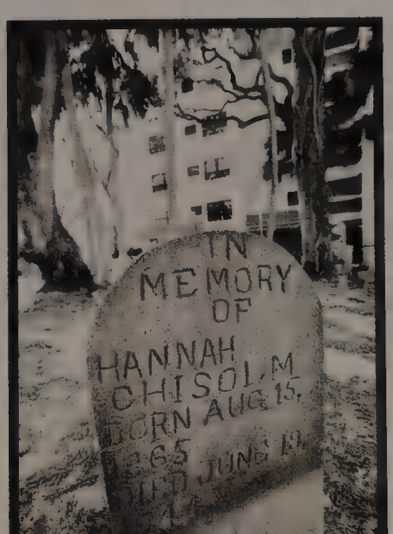
Without a clear title, heirs'-property owners are limited in what they can do with their land. They can't get mortgages or do extensive repairs on their homes; as a consequence, some live in trailers. They aren't eligible to apply for state or federal housing aid (such as funds provided by the Federal Emergency Management Agency) or for nearly any of the programs administered by the Department of Agriculture, including the crucial loans and conservation funding that keep many rural landowners afloat. "So [they're] already hampered because [they] have heirs' property," explains Jennie L. Stephens, the executive director of the center, "but now [they're] sitting here with these hundreds of acres, and [they] can't do anything with it."

[redacted]

The Allens are at the center of a fight to retain black-owned land.

As with the Allen family, heirs' property is often jointly owned by many descendants, some of whom are scattered across the country and may never have met one another. Each has a claim to the land, but this type of joint ownership makes them vulnerable to a peculiar legal challenge: Any one of these co-owners has the legal right to sell their share of the property—or even to bring the whole parcel of land to court-ordered auction—without the consent of the others.

These "partition sales" are one cause of the dispossession crisis, according to the Heirs' Property Retention Coalition. Property developers entice faraway relatives who may never have visited their family's land to sell their share for a fraction of its market value. Once they buy a share, these developers can then sell all of the land at auction for a large profit. A 2001 report from the US Agricultural Census estimated that about 80 percent of black-owned farmland had disappeared in the South since 1969. Approximately half of that land was lost through partition sales.



Disappearing past: The Braddock's Point Cemetery, a Gullah graveyard, now surrounded by Sea Pines Resort on Hilton Head Island.

Thomas W. Mitchell, an expert in heirs' property at the

RIGHT: RICHARD ELLIS

Texas A&M University School of Law, says families will often try to fend off partition sales by arguing that their land is historically significant, or of cultural importance to the African-Americancommunity. But until recently, the courts weren't legally required to take into account the historical or cultural value of the land, and so they generally don't.

Mitchell attributes the persistent and ongoing issue of partition sales in the African-American community to a question of power, at least in part. "If the Kennedys, the Bushes, or the Clintons had their property sold under these circumstances," he says, "the law would have been reformed" by now.

HILTON HEAD, ON THE SOUTHEASTERN COAST of South Carolina, is one of more than 100 coastal islands that form the Sea Islands. Though it is now primarily known as a golfing and resort destination, Hilton Head was once almost entirely inhabited by the Gullah people. The Gullah are descendants of enslaved West Africans who, like Dennis Allen, moved to the Sea Island region at the end of the Civil War, or who had previously been enslaved on area plantations. Gullah communities thrived for decades on the isolated islands, largely free of the restrictions of the Jim Crow South. For generations, they maintained an agricultural, barter-based economy.

Then, in the mid-1950s, development came to Hilton Head. Wealthy industrialists bought up hundreds of acres for recreational sites as highway and bridge construction made it easier for mainland residents to reach the islands. By the 1990s, the waterfront properties on Hilton Head had become highly desirable among wealthy whites seeking a vacation home.

The development displaced many Gullah people. Some families lost their land to rising property taxes, which they could no longer afford to pay, but others lost their land in partition sales, their property brought to auction by developers in forced sales or by partial owners convinced to sell it for a fraction of its value. In areas where the Gullah once made up 90 percent or more of the population, they account for as little as 10 percent today, according to Willie Heyward, managing attorney at the Heirs' Property Law Firm. Somewhere between 200 and 700 acres of the land on Hilton Head—no one knows the exact number—remain in Gullah hands.

"The property that we owned was prime property," says Alex Brown, a Gullah native and chair of the island's planning commission. "Over time, it's been sold and traded and stolen." And because of the Gullah's unique history of agricultural production, the loss of land amounts to a loss of culture.

"If we don't have our land, we don't have our family," says Queen Quet, chieftess of the Gullah/Geechee Nation. "This is the battle we're in now."

Beyond Hilton Head, all of South Carolina has experienced enormous demographic shifts in the past 50 years. African Americans comprised nearly half of the state's farmers in 1950, but by 2012 represented just 7 percent. In Beaufort County, which includes Hilton Head and other coastal islands, the population is now 77 percent white, compared with 57 percent black in 1950. This shift has created tension between "native islanders" and the newcomers, many of them white retirees from the North. And it was facilitated by the forced sale of thousands of acres of black-owned land. To this day, Mitchell says, South Carolina is the "ground zero" of African-American partition sales.

> "The property that we owned was prime property. Over time, it's been sold and traded and stolen."
>
> —Gullah native Alex Brown

Queen Quet, chieftess of the Gullah/Geechee Nation.

MANY MEMBERS OF THE ALLEN FAMILY SAY THEY never wanted to get involved with Horace Jones Jr. Some say a distant relative had begun conversations with the lawyer about clearing the title to the Allen family land—that is, removing Dennis Allen's name from the title and replacing it with the names of living heirs, thus eliminating any legal ambiguities around their ownership of the land—but they add that the family never hired him. Another member of the family told *The Island Packet*, the local paper serving Beaufort County, that the family had retained Jones to help track its genealogy and build a family tree to help clear the title to the land. But many agree that Jones didn't have anyone's consent to start a lawsuit—allegedly on behalf of several family members—to partition and sell the 38-acre plot in 2009.

Jones had worked as an attorney in York County, South Carolina, on heirs'-property and other estate cases for more than two decades. According to an article in the Rock Hill *Her-*

RICHARD ELLIS (2)

Freedom: Mitchelville, created on Hilton Head during the Civil War, was an early self-governing community of freed men and women.

ald, former clients described him as "a stand-up guy." The Allens disagree. Members of the family listed as plaintiffs in the lawsuit that Jones initiated insisted to me, as well as in affidavits submitted to the court, that they didn't want to sell the land, and that Jones forged their signatures. The family has filed an unsuccessful motion to dismiss the partition case. Yet because the Allen family tree is still unfinished and the title has yet to be cleared, the judge could rule at any time simply to auction off the land.

Since Jones filed the initial sale documents, the Allens have been approached by several developers hoping to buy their land, or to convince family members to sell their stake in it. One real-estate developer, the Melrose Holding Company, offered $4.5 million for the property.

There have been many opinions in the Allen family about selling their land—and, indeed, one branch of the extended family, composed of about six people, has retained another lawyer, Terry Finger, to represent their interests in court. But much of the family doesn't want to sell. "We have worked hard to save this piece of land," says Ethel Simmons, Matthew Allen's cousin, who lives on the property with her mother. "If we lose the land, it's going to hurt a lot of us."

In August 2016, many members of the family submitted affidavits to the Beaufort County Court to say they weren't notified of the land's partitioning and were "stunned" that the sale was initiated without the family's consent. They expressed particular concern over the fate of elderly relatives still living on the property should the auction proceed. "We are not wild [beasts roaming] on the property, we are law-abiding citizens," wrote Queen Mary Allen-Davis, a member of the family, in an affidavit. "We are not animals. We are people."

As the Allens struggled to free themselves from Jones's lawsuit, the lawyer's reputation was sullied by felony charges alleging that he had stolen about $750,000 from clients. On October 12, 2015—the date Jones was scheduled to appear at his trial—he shot himself in a wooded area about 200 miles from the courthouse. The allegations against him included an account from a woman who had hired Jones to assist in clearing the titles to five parcels of heirs' property. Jones allegedly sold the land without her consent, collecting the profits for himself.

To this day, South Carolina is the "ground zero" of African-American partition sales.

38 Acres: The Allens' property has been in the family for 120 years.

On September 22, 2016, Nikki Haley, then governor of South Carolina, signed the Clementa C. Pinckney Uniform Partition of Heirs' Property Act. The law, named for the revered state senator and pastor who was killed in the 2015 massacre at the Emanuel African Methodist Episcopal Church in Charleston, provides several protections for heirs'-property owners. If one co-tenant initiates a sale, for instance, the other co-tenants must be given an opportunity to buy that tenant's share before the land can be sold. The act also requires judges to consider things like the sentimental, cultural, or historical significance of the land as well as its market value (previously the only consideration in most cases) before ruling to sell it. And if the land is sold, it must be sold on the open market instead of at auction, so that families receive a fair price. Josh Walden, the supervising attorney at the Center for Heirs' Property Preservation, calls the act a "great tool" with the potential to preserve the land of many heirs'-property owners. Queen Quet calls it "a blessing."

The law has its origins in model legislation that was written in 2010 by the Uniform Law Commission, which drafts bills for states to consider. Thomas W. Mitchell was its lead author—only the second African American in the history of the commission to serve as the lead author of a uniform law. He calls the act the "most significant reform to property law in the history of this country." It has already been passed by 10 states, including Alabama, Connecticut, Montana, Nevada, New Mexico, and Texas, and was introduced in the District of Columbia earlier this year.

Beyond South Carolina, there is some evidence that black land ownership is on the rise. One 1999 study found that there were roughly 68,000 black agricultural landowners in the United States who owned more than 7.7 million acres, mostly in the South. The 2012 Census of Agriculture showed that the number of farms with black principal operators had risen 9 percent since 2007.

For some heirs'-property owners on the Sea Islands, the new law may prove seminal in protecting what land remains in the Gullah's hands. For others, it comes too late. For the Allens, the law's effect remains to be seen. While the family is cautiously optimistic, they would

BOTTOM: RICHARD ELLIS

still need to bring a new lawsuit under the act, since it doesn't apply retroactively to their existing case.

Ever since Judge Marvin H. Dukes III denied their motion to dismiss the case, the Allens have been in and out of court. Recently, Matthew Allen and his branch of the family presented a proposal outlining how family members could work together, without intervention from the courts, to solve their conflicts over the land. Meanwhile, the few family members who do want to sell have taken steps to appoint a receiver, who would manage the family's affairs while the land is still in dispute. The majority of the Allen family's members don't want the receiver appointed.

Margarite Washington, Matthew Allen's cousin, has lived on Allen Road her whole life. Behind her home is a small memorial, a two-foot cross with a few flowers planted around it. Nearly five years ago, her 8-year-old nephew was killed by a stray bullet on that spot. "If they take the land, we'll lose all of this," she says, motioning to the memorial. "We would be devastated. Where are we going to go?" ■

(continued from page 16)

tisan Sportsmen's Heritage and Recreational Enhancement Act. And Trump, to the chagrin of many activists, didn't mention concealed-carry reciprocity in his NRA speech.) Quicker change will come at the state level, where Democrats were also blown out in 2016. Arkansas and Georgia have already passed bills allowing students and faculty to carry guns on college campuses, for example. In North Carolina, South Carolina, Virginia, and Wisconsin, legislators are moving to eliminate concealed-carry permits and training requirements; New Hampshire, Michigan, and North Dakota have already done that this year. Texas has passed seven bills expanding gun rights in 2017 alone. Legislators in Kansas scrambled to keep guns out of state mental hospitals and other facilities, but in the face of opposition from the NRA, they failed.

The increasing absurdity of gun legislation is where gun-control advocates see a renewed opening. Dealt a major political loss in November, they point out that the public still broadly agrees with expanded background checks, and they believe that linking Trump directly with the NRA will help defeat both, and thrust ownership of the gruesome accumulation of gun deaths onto an unpopular president.

On an exceptionally windy day in May—so windy that the speakers could barely be heard—several House and Senate members gathered with gun-control activists right outside the US Capitol. "The saddest marker of [Trump's] administration has been the thousands of deaths that have occurred," said Senator Richard Blumenthal. "Donald Trump pandering to the NRA is a mockery of those deaths from gun violence." He was joined by Gabby Giffords, who still has trouble speaking after her own traumatic injury. "Stopping gun violence takes courage—the courage to do right," Giffords said, laboring over each word. "We must never stop fighting. Fight, fight, fight." ■

SIPA VIA AP IMAGES

RCH IN FRANCE

Many voters share his belief that the current crisis requires a new kind of politics—but can Macron deliver the goods?

by ARTHUR GOLDHAMMER

EMMANUEL MACRON COURTED THE FRENCH electorate with the same uncanny combination of winsome charm, implacable will, and clever calculation that he drew on to woo his high-school drama teacher, who would later become his wife. To judge by his astonishing presidential run, and now by the substantial majority (308 out of 577 seats) that his fledgling party has won in the National Assembly, it might seem that he has made yet another remarkable conquest.

But that would be an exaggeration. The French remain wary of smooth-talking charmers, and the record-low turnout in the second round of the legislative elections on June 18 is but the latest indication that voters have not all swooned over Macron and his promises of change. Indeed, at the inception of his candidacy, the conventional wisdom was that Macron would lose precisely because he represented not change but rather more of the same: He was "*Hollande bis*," his detractors charged, and because of outgoing Socialist president François Hollande's extreme unpopularity, it seemed certain that the man he had once hailed as his "spiritual son" could not win.

Macron deliberately let his impatience show. To be sure of making an impression, he often spoke out of school, earning the occasional paternal rebuke. But impatience has always been Macron's hallmark, since long before he came into Hollande's orbit. He left public service for a time when climbing the hierarchical ladder proved too slow. He subsequently quit the private sector, despite a rapid rise in the world of mergers and acquisitions, when Hollande invited him into the inner sanctum of state power, first as a presidential adviser, then as minister of the economy. While still serving in the latter post, he began raising money for En Marche, the movement that would eventually become his presidential vehicle. And he began recruiting candidates to run under the aegis of the "presidential majority" months before his own victory was assured.

While former president Nicolas Sarkozy's agitated exertions to persuade the French that greed is good earned him the sobriquet "*Sarko l'Américain*," Macron's lean and hungry look calls to mind a different kind of American restlessness, captured in the opening lines of Saul Bellow's *The Adventures of Augie March*. Like Augie, Macron was the "first to knock [and] first admitted" among his peers, and there wasn't "any way to disguise the nature of the knocks by acoustical work on the door or gloving the knuckles." This was a young man who would stop at nothing, and whom nothing would stop.

Googling the words *Macron gendre idéal* ("Macron ideal son-in-law") yields numerous hits. The same cliché seems to have occurred simultaneously to many observers seeking to fathom the mystery of the young man's appeal. You can see why your daughter might fall for such a fellow, the image suggests, but you can't help wondering if she'll end up miserable down the road.

If Macron made his elders anxious, he also worried his contemporaries, especially those less able to leap the hurdles that life put in their way. According to the polling firm IPSOS, Marine Le Pen actually won a plurality of the votes in Macron's age cohort, the generation that turned 30 just as the Great Recession devastated economies around the world. Le Pen garnered 29 percent of the voters age 35–49, compared with Macron's 21 percent, which was nearly equal to the share that went to Jean-Luc Mélenchon on the far left. By contrast, Macron led in the 25–34 category, taking 28 percent of the vote, compared with 24 percent apiece for Le Pen and Mélenchon. (As for the elder vote, the lion's share went to the Republican candidate François Fillon, who led in both the 60–69 and over-70 categories.)

Macron triumphed by winning the top of the income distribution while staying competitive with voters his own age.

Another thing to note about the Macron vote is that it increased with income: He led with 25 percent of the vote among those earning between €2,000 and €3,000 a month, and garnered an even larger share (32 percent) among those earning more than €3,000 a month. In other words, Macron triumphed by winning the top of the income distribution while remaining competitive with people roughly his own age, whose vote was split among the center and the two extremes. To quote the IPSOS characterization of this segment of the electorate: "Macron appealed to 'optimistic' France, to those who are doing reasonably well and who believe that the younger generation will do even better."

OPTIMISM—THE OPTIMISM OF THE WELL-educated, well-fed, and gainfully employed—is what triumphed in France in 2017. But how can this be, when for years newspapers and magazines have preached that France is the "champion of pessimism in Europe" (as the headline of a *Le Monde* article put it in 2013)? One way to understand what happened is to note that in France, political optimism has long come in two forms: revolutionary and progressive. Revolutionary optimism requires a belief in the possibility of wholesale change, in the ability to erase the past and create everything anew. By contrast, progressive optimism stems from the conviction that the problems that arise in the life of any society are best tackled incrementally, because trying to change everything at once only makes things worse.

This year, it was the extremes that laid claim to revolutionary optimism: Restore national sovereignty, dump the euro, withdraw from the European Union, close the

Arthur Goldhammer has translated more than 125 books from the French. He is an affiliate of Harvard's Center for European Studies and writes widely on French politics and culture.

borders, and all will be well. Denouncing all this as hopeless utopianism, Macron—whose campaign manifesto bore the deliberately misleading title *Révolution*—preferred to present the country's predicament as a series of discrete problems that could be circumscribed, analyzed, and resolved. He is not Robespierre, but a visionary entrepreneur of the sort admired in business incubators from Palo Alto to Berlin.

With an eye to the frequent appearance of management jargon in Macron's speeches, Cécile Alduy, an astute analyst of political rhetoric at Stanford University, observed that he appeared to be "selling a product" and had conducted "market studies to ask people what they want." In her estimation, Macron is the political equivalent of that other genius of self-invention, Steve Jobs. And, like Jobs, he was drawn to the latest in high tech: He engaged the big-data firm Liegey Muller Pons to help him target precisely those districts where his innovative political product would find the most takers. What his "customers" turned out to want was not so much substance as "style" or even "magic." In answer to criticisms that he lacked a detailed platform, Macron insisted that it was "a mistake to think that a platform is the heart of a campaign."

Substance still mattered, but it was secondary, because a perfectly decent "technology" could be brought to market and still fail if it found too few takers. Macron didn't hesitate to position himself squarely in the middle. By claiming to take "the best" from both left and right, he appealed to those who believed that neither held an exclusive claim to virtue. Alone to seize the opportunity in the political center, Macron was the first to put together a package enticing to both camps. He thus reaped the first-mover advantage that accrues to innovators in every field.

The record-low turnout in the second round should remind Macron that his extraordinary luck could desert him at any time.

It would be misleading, however, to suggest that Macron has taken all of his cues from the venture-capital playbook. In the days after his election, any number of stories called attention to his intellectual credentials, which are every bit as impressive as his business résumé. Most telling for his political philosophy was his pitch-perfect paraphrase (in an interview with the weekly magazine *Le 1*) of the work of political theorist Claude Lefort, who argued that the execution of the king during the French Revolution had left an "empty place" that the political system has been struggling to fill ever since. Macron pointed to the importance of authority figures like Napoleon III and Charles de Gaulle in filling that void and explained that, after de Gaulle, "the normalization of the president left an empty chair once again at the center of political life. Yet this is a role that people expect a president of the Republic to fill."

Despite his inexperience, the new president imagines himself a figure of sufficient magnitude to fill the empty place left by de Gaulle. People have been drawn to his politics by his bold promise to fill this void. In the words of political analysts Elie Cohen and Gérard Grunberg, "Macron correctly diagnosed the inanity of political discourse and the [lamentable] state of the parties" and therefore resolved to form his own movement rather than rely on an existing party organization.

This decision was key to his rise. It was a risk, but one worth taking because so many people had become convinced that the political parties were paralyzed by internal dissension. If the Hollande presidency had made anything clear, it was that the breach between the Socialist Party's market-friendly and market-hostile factions could never be healed. With the party lost in vain quarrels over the precise elasticity of the term "socialism," the reasons for slow growth and persistent unemployment could not even be discussed two decades after the issue had supposedly been laid to rest. On the right, meanwhile, the Republicans were similarly divided by dogmatic disputes over identity and sovereignty.

What Macron saw was that many voters, tired of the endless bickering on both left and right, had begun to hope for a different kind of politics—a politics attuned to the modern world, which in Macron's lexicon means attuned to the globalized economy of open markets and the free flow of capital, labor, and goods. When he transformed En Marche, his presidential vehicle, into La République en Marche (REM), the party through which he hopes to govern, Macron laid down two conditions that also reflect his understanding of modernity: The party ticket should maintain strict parity between men and women, and as many candidates as possible should be recruited from outside the ranks of elected officials. This proved to be another shrewd bet: In many districts, the REM candidate was relatively unknown, but it was enough to say "I'm with the president" to win. Voters shared Macron's sense that the politics of the past few decades had become archaic and that modern conditions required a new kind of political effort.

Not *all* voters, however—in the end, the legislative elections merely confirmed the results of the presidential election before them. Macron's party carried the prosperous optimists but left the other two-thirds of the electorate indifferent, if not downright hostile. Only in a two-round majority system like France's could a party with the initial support of less than a third of voters take well over half the seats in the National Assembly. Turnout in the first round was disappointing (just under 49 percent), and in the second round verged on the dismal (at just over 43 percent). Relative to the inflated projections after the first round, REM didn't do as well as expected; still, as recently as a month ago, no one thought the new party had a chance of obtaining even a bare majority, let alone a comfortable one—even more comfortable when you add the 42 seats allotted to the allied MoDem party, led by former justice minister François Bayrou (who recently resigned, along with two other MoDem ministers, following allegations that their party had made improper use of parliamentary assistants paid by the European Union).

The record-low turnout in the second round, coupled with REM's failure to meet expectations, however inflated, should remind Macron, if he needs reminding, that his extraordinary luck could desert him at any time. A first sign that he has already heeded the warnings came on June 19, when he asked Richard Ferrand, his right-hand man during the campaign, to step down from the government to head the REM group in the National Assembly. This preemptive maneuver will limit the damage if Ferrand, who is currently under investigation for alleged corruption, is indicted.

Now, in any case, the real work begins. Macronism remains to be defined. The president sold himself as the proponent of a "modernized" approach to politics, but the self-consciously modern has a way of quickly coming to seem old hat. Today's "French modern" politics may soon look as dated as Danish-modern furniture does now. Those who abstained on June 11 and June 18 constitute a majority. Macron's victory, while giving hope to those who share his optimistic outlook, has done nothing to dispel the gloom of those who stayed home. How they will choose to express their disappointment remains to be seen. There could be immense surprises in store. ■

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Letters

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(continued from page 2)

The problem with the resistance movement is that local activists are not getting direction from the Democratic National Committee, and as a result we're all over the place. I think the DNC should work with resistance leaders and provide local activists with a weekly plan. What can those of us on the ground do to be most helpful in both the short and long term? Is devoting time to organizing a protest more effective than getting on the phone and calling voters in a special election? Millions of people want to get involved in helping the Democrats take over the House and Senate. We need direction. PAUL FEINER
Town Supervisor
GREENBURGH, N.Y.

Applause for Merkley

As an Oregonian, I have supported Senator Jeff Merkley for years and couldn't be more proud ["Senator Jeff Merkley, Working-Class Hero," by Zoë Carpenter, June 5/12]. His progressive ideas *and* legislative proposals are right on. Although most of these proposals are progressive, he also has found a way to work across the aisle. Hard as that is, he's really good at making his point of view sound reasonable to Republicans. RUTH PURCHASE

Perriello: Promise and Peril

Watching the establishment Democrats dutifully line up and support the establishment candidate in the race against Tom Perriello is predictably depressing ["Is Virginia for Populists?," by George Zornick, June 5/12]. Kudos to Elizabeth Warren, in whom I have lost much faith over the past year, for not being one of the establishment crowd on this one. ROBERT BORNEMAN

It's pretty depressing that the progressive candidate is willing to inflict his viewpoint on a woman's right to control her own body. That stand affects half the population. Women are fighting for reproductive rights. We aren't willing to backpedal on the issue to elect some pol who takes the same stand as a Republican. LEILA WALSH

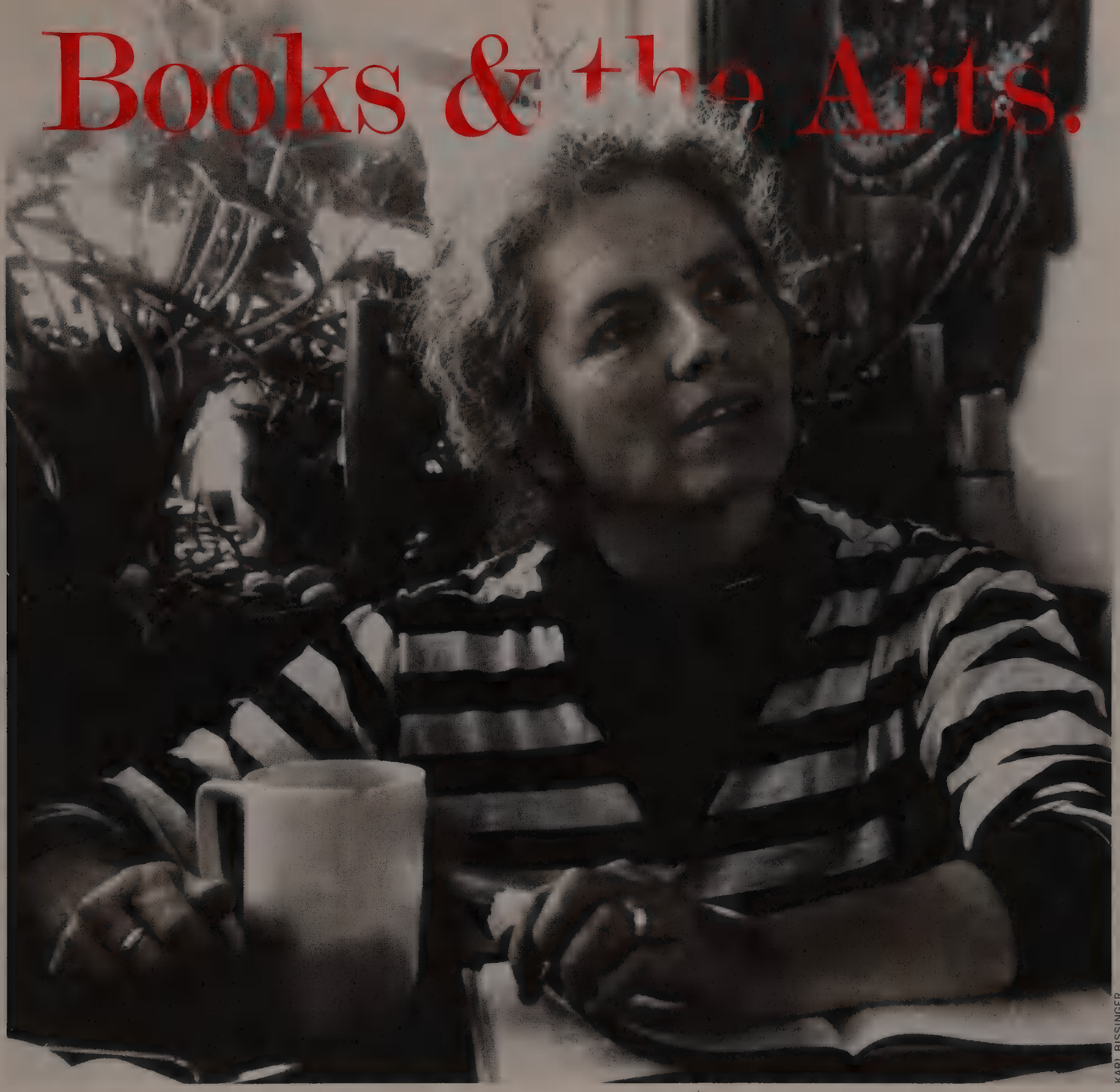
Thoughtful Space

Re "The Mystic," by Paul Goldberger [June 5/12]: If a test of a "great" building is how it feels to deal with it on a daily basis—working in it, not just photographing it—then Louis Kahn's Salk Institute passes with great marks.

I was a student worker at the University of California, San Diego, years ago, and worked for a couple of the labs there. Kahn designed a building that is incredibly warm and human, despite its perceived austerity. It's beautiful on the outside, but it's really a pleasure for the scientists and others to work in it. Even though it was built in 1963, I don't envision it ever becoming dated. It is both relaxed and elegant; I can now understand how New Deal values came through. The building is fantastic, yet it is still for the people and not Kahn's ego. WALTER PEWEN

Top Heavy

Re "The Great Pretender," by Mike Konczal [June 5/12]: There is an old saying among economists that "anything that cannot go on forever, won't." An economy or society that gets heavier and heavier at the very (nonproductive) top while everyone underneath gets crushed is an economy or society that will eventually collapse from its own dead weight. The insatiable greed of those at the very top simply hastens their own eventual undoing. WILLIAM KOSTAK



KARL BISSINGER

BIG DISTURBANCES

For Grace Paley, politics wasn't separate from domestic life or writing—it was at their center

by MAGGIE DOHERTY

"I was popular in certain circles," the narrator asserts in the opening line of Grace Paley's story "Goodbye and Good Luck." It's the perfect combination of confidence and caginess, self-inflation and self-deprecation, and it communicates an entire character in six words. In it, we hear someone who might not be as important as she thinks she is, but who is nonetheless sure to be interesting. We also hear the contrasting sounds of English and Yiddish, the new and old country, the present and the past, all falling together in a kind of compact symmetry.

Maggie Doherty is a lecturer at Harvard. Her writing has appeared in the New Republic, Dissent, *and* n+1. The Equivalents, *her first book, will be published by Knopf.*

A Grace Paley Reader
By Grace Paley
Edited by Kevin Bowen and Nora Paley
Farrar, Straus and Giroux. 400 pp. $27

"Goodbye and Good Luck" is an extended monologue—delivered by Aunt Rose, an older Jewish woman, to her niece—that reflects on the romantic entanglements of Rose's youth:

> I wasn't no thinner then, only more stationary in the flesh. In time to come, Lillie, don't be surprised—change is a fact of God. From this no one is excused. Only a person like your mama stands on one foot, she don't notice how big her behind is getting and sings in the canary's ear for thirty years.

Right away, we are in Rose's world: a world of appetites and aging bodies, of creative insults and idiomatic speech. The voice captured here—chiding, teasing, commanding—was, it comes as no surprise, not entirely made up. "I was popular in certain circles" was something that an aunt once confessed to Paley, and the line stuck in her mind.

At the time she wrote the story, Paley was in her 30s, ill, and thus temporarily freed from responsibilities inside and outside the home. W.H. Auden, her teacher at the New School, had encouraged her to write in her own voice; Paley decided that she would also write in the voices of the many women who populated her world. The story helped launch her into prominence as a fiction writer. An editor at Doubleday liked what he read and told Paley that if she could write seven more stories like it, Doubleday would publish a collection.

The Little Disturbances of Man came out in 1959. Paley was 37 and then mostly unknown in literary circles; the book won her critical praise, a Guggenheim Fellowship, the friendship of Donald Barthelme, and various teaching jobs over the years. Philip Roth praised her language for its "rich emotional subtleties...a kind of back-handed charm and irony all its own." She quickly became a major new voice in American fiction.

Paley published only two story collections after this: *Enormous Changes at the Last Minute* (1974), which appeared 15 years after her first collection; and *Later the Same Day* (1985). Most of her stories are set in New York City, where she lived for almost all of her life. In the years between publications, she raised children, organized antiwar protests, and taught at Columbia and Sarah Lawrence. During these years, Paley didn't write less; she simply refused to confine herself to the short-story form. Throughout her life, she was a committed activist and wrote pamphlets, articles, political reports, poetry—whatever the moment demanded of her. She built up a diverse body of work, not all of it literary—and therefore much of it has been neglected by those who admired her fiction.

Paley's publisher, Farrar, Straus and Giroux, set out to correct this oversight, releasing more of her nonfiction every few years. A book collecting many of Paley's essays was published in 1998, and another collecting her poems in 2000. Now, *A Grace Paley Reader* tries to bring these writings together with her fiction. With an introduction by George Saunders, the *Reader* includes stories as well as essays, talks, and poems. The book reminds us that Paley the short-story writer was also Paley the activist, the pamphleteer, the poet, the community organizer, and the committed leftist.

Paley, who died in 2007, devoted much more of her life to politics than to literature. But despite being embroiled in some of the most important social movements of the postwar period, her work isn't always considered in light of the history that produced it. It's easy to miss how much of the moment her fiction was. This is one of the hazards of writing short fiction, which can be read almost entirely divorced from its place and time. This is even more true of a Paley story, which can appear like a perfect gem, mined from the muck of history.

A Grace Paley Reader helps to return the writer to her historical moment, to the specific conditions that shaped her life as an artist and activist. The chronology in the back of the book pairs Paley's literary publications with her political activities. A sampling: "1959: *The Little Disturbances of Man* published by Doubleday. Joins in organizing antinuclear protests and with protests against air-raid drills in schools." "1969: Travels to North Vietnam with a small delegation of peace activists to receive three U.S. prisoners of war. 'Distances' is awarded O. Henry Award." "1978: Arrested in antinuclear demonstration on White House lawn, receives six-month suspended sentence. Publishes 'Somewhere Else' in *The New Yorker*." In Paley's life, as in her fiction, the boundaries between the personal and the political, the domestic and the worldly, were remarkably porous. Politics entered her fiction as naturally as a familiar neighbor might step across the threshold of her apartment. For quite some time, critics have heralded Paley because of the compact precision, humor, and idiom of her prose. But equally important to our understanding is her deep engagement with the social and political movements of her time—and how this engagement, this passionate worldliness, defined her fiction.

Paley was born Grace Goodside, the youngest of three children, in the Bronx in 1922. Her parents were Ukrainian immigrants and committed socialists who had both lived in exile—her father in Siberia, her mother in Germany—before fleeing together to the United States in 1906. From an early age, Paley absorbed her parents' political inclinations along with their Russian, Yiddish, and accented English—the tones and rhythms that would later inflect her fiction. Like many Jewish children growing up in political homes in the 1930s, Paley became more radical than her parents. In the essay "Injustice," written in 1995, she suggests that her parents, "a couple of ghetto Jews struggling with hard work and intensive education up the famous American ladder," eventually reached "the professional middle class...that comfortable rung (probably upholstered)." Paley, who was deeply involved over the course of her life in the civil-rights, women's liberation, and antiwar movements, never let herself become comfortable.

The *Paley Reader* includes writings on each of these movements. Some of these pieces have been published before: for example, a controversial essay about Americans adopting Vietnamese children that she published in *Ms.* magazine in 1975. There are also many pamphlets and essays that never appeared in national magazines, including much of Paley's writing on gender politics and the political lives of women. Her notes from the Seneca Women's Peace Encampment of 1983 will resonate with any reader who has faced off against hostile law enforcement at a protest, and another essay of note is "The Illegal Days," an honest and measured account of her attempt to get an abortion when the procedure was still illegal.

But as is true with many politically engaged fiction writers, Paley wrote most compellingly about politics in her stories. "Mother," drawn from her own life, dramatizes the intergenerational conflict between an immigrant mother and a first-generation daughter that Paley described in some of her more autobiographical essays. The narrator of the story recalls delivering "a political manifesto attacking the family's position on the Soviet Union," which earns her mother's admonishment: "Go to sleep for Godsakes, you damn fool, you and your Communist ideas. We saw them already, Papa and me, in 1905." The daughter, growing up in Depression-era America, can never know what terrors her immigrant parents have witnessed, but her parents, likewise, can't sympathize with their daughter's political commitments.

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January 2018

"Simply put, we both feel that this was the best, most interesting, and most rewarding trip we have ever taken. In my case, that includes travel in more than 38 countries, over 57 years."

–David and Abigail, Mich. (Cuba 2016)

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The same challenges befall many of Paley's fictional avatars, including those middle-aged activists and mothers who now worry about their own radicalized teens. In "Ruthy and Edie," a group of women celebrate a 50th birthday and discuss the whereabouts of a missing daughter. "Where the hell is she?" one asks. "Oh, probably in jail for some stupid little sit-in or something," another responds. "She'll get out in five minutes.... You brought her up like that and now you're surprised." Political consciousness is passed down from mother to child; the radical children also inherit the worries of their mothers.

For Paley, political activism was coterminous with homemaking and child-rearing. It was precisely because women had children that they needed to care about the world. In an interview with the *Boston Review* from 1976, Paley argued that it was less important that a mother raise her children perfectly—the right food, the best schools—than that she be politically active. As a mother, "you're important," she explained, "but the world is bringing [children] up and insofar as the world is bringing them up...you better pay attention to the world too. It's all related." Paley believed that everyone and everything is connected: The chemicals in weapons would soon be in your children's water; your own son could serve in the cruel war you failed to protest.

The concept of interdependence was both the foundation of Paley's politics and the organizing principle of her art. No story illustrates this better than "Faith in a Tree," a story from *Enormous Changes at the Last Minute*. Faith, a recurring figure in her fiction, is lounging in a neighborhood park on a Saturday in New York City. It's a chaotic scene: Children run and play; mothers hector and talk; and "the young Saturday fathers, open-shirted and ambitious," pester and flirt. Faith climbs a tree and surveys the scene: "What a place in democratic time!" she exclaims. While perched there, she's visited by a series of friends and neighbors. Chattering to them, Faith also offers judgments and commentary on those present and absent—including her estranged husband Ricardo, who writes to her when he needs cash. An entire neighborhood—which is to say, an entire world—is contained in this park, the province of women and children.

The story ends when an antiwar parade sweeps into the park. The adults carry signs—WOULD YOU BURN A CHILD?—and push their own children in go-carts through the playground. Faith, who had been daydreaming about a sexual encounter, watches as her son Richard picks up chalk and copies out the protesters' accusatory question on the nearby blacktop. For Faith, the parade, and Richard's impulsive participation in it, mark a turning point: "I think that is exactly when events turned me around.... Then I met women and men in different lines of work, whose minds were made up and directed out of that sexy playground by my children's heartfelt brains, I thought more and more and every day about the world." Politics doesn't so much interrupt this domestic scene as show itself to be an organic part of it. The playground is already political.

"When I came to think as a writer, it was because I had begun to live among women," Paley argued in a talk from 1986. Once captivated by the "exciting" world of men, she grew disenchanted and turned her attention to the women who surrounded her—"mothers, sisters, and aunts." To her surprise, she had not given them much thought, nor did she understand them. "I didn't know them," Paley said in the talk, "and that, I think, is really where lots of literature comes from.... It comes from what you're curious about."

Paley believed that women were predisposed to be curious about the lives of others. They were naturally more empathetic than men and less violent. When she called slaughter "man-made," as she did in one of her poems, she meant it in the most gender-specific sense: The violence of the world around her appeared distinctly male in its origins. Women were thus charged with "changing the fucking world," as she once said to *Boston Review*—through art, through activism, and through raising children. "It is the responsibility of society to let the poet be a poet / It is the responsibility of the poet to be a woman," she announces at the beginning of the poem "Responsibility." The responsible poet looks much like Paley herself: standing on street corners handing out pamphlets, refusing to pay war taxes, decrying economic injustice. The poem ends with an injunction to the poet to "cry out like Cassandra, but be / listened to this time."

This connection between living among women and becoming a writer was as much practical as it was philosophical. When her children were young, Paley divided her time between an office on the Upper West Side, where she worked as a typist at Columbia University, and the parks and schools downtown, where she minded her kids. Running after her children, Paley would observe other people's everyday lives and overhear their vernacular speech. "If I hadn't spent that time in the playground," she told an interviewer in 1992, "I wouldn't have written a lot of those stories." She typed up some of her earliest stories while working at Columbia, but many of the rest were written in a PTA office on 11th Street. Her first collection was the joint product of her professional and domestic lives.

Unlike some of the younger feminists she met in her activist circles, Paley never came to see motherhood as an oppressive institution. She recognized that child-rearing was a form of work—boring, exhausting, thankless work, as so many of her stories demonstrate—and she put her children in day care from the age of 3. Still, she relished the insights and emotions that caring for children produced. In her fiction, she portrayed parenting generously, in all its beauty and banality. Motherhood, for Paley, was a mixed blessing, an experience in which joy and rage and sorrow commingle. It was yet another imperfect but ultimately rewarding way to inhabit the world.

Her stories about Faith express this emotional turmoil beautifully. In "Two Short Sad Stories From a Long and Happy Life," Faith spends a Saturday afternoon trying to hem an old dress while her two young boys and her current lover roughhouse around her. The scene quickly turns from jubilant to disastrous: The lover, Clifford, ends up injured, bitten on the ankle by the younger boy. The boys, "bruised and tear-stricken," are sent away to nap. Clifford criticizes Faith for the "rotten job" she's done as a parent; she retaliates by throwing a glass ashtray at him, tearing off "what is anyways a vestigial earlobe." "You don't say things like that to a woman," she whispers, enraged—especially not a woman who has raised two children with "one hand typing behind my back to earn a living." Clifford cleans up his own blood and leaves the apartment. Faith looks in on the children and later feeds them a meal. The story ends with her cradling her youngest, Tonto, the culprit in the earlier scene:

> I held him so and rocked him. I cradled him. I closed my eyes and leaned on his dark head. But the sun in its course emerged from among the water towers of the downtown office buildings and suddenly shone white and bright on me. Then through the short fat fingers of my son, interred forever, like a black-and-white-barred king in Alcatraz, my heart lit up in stripes.

It's a touching scene, one in which maternal love constricts and confines even as it uplifts and illuminates: the pietà as prison. And it captures perfectly the ambivalence so many women feel about being mothers—perhaps even Paley herself. Another story about Faith, not included in the *Reader*, ends on a beach with the two boys, now grown older, burying their mother in the sand. Faith's internment continues.

As frustrating as their domestic lives may be, Paley's women rarely despair. No matter how bad life gets, they always want more of it. In "Living," Faith and her friend Ellen are struck by illness simultaneously. They talk on the phone, and Faith tries to reassure Ellen. "Life isn't that great," she says. "We've had nothing but crummy days and crummy guys and no money and broke all the time and cockroaches and nothing to do on Sunday but take the kids to Central Park and row in that lousy lake.... What's the big loss? Live a couple more years. See the kids and the whole cruddy thing, every cheese hole in the world go up in heat blast firewaves." Ellen agrees. She replies, but "I want to see it all." These women embrace the world in its entirety, cockroaches and lousy lakes included.

It is something of a truism to say that Paley's fiction validated women's work and women's lives. She is often praised as a writer who attended to personal things, to the stuff of everyday life that goes missing from the grand tableaux of history. Paley catered to this interpretation, admitting that when she first started writing, she was anxious about her subject matter. "I was writing stuff that was trivial, stupid, boring, domestic, and not interesting," she says in her talk "Of Poetry and Women and the World." But Paley was much more than a domestic writer. Yes, her fiction describes the activities of daily life—shopping, cooking, caretaking, squabbling—with a warmth and sensitivity that renders such familiar activities newly fascinating. But there is no truly domestic space in Paley's fictional world. Apartments are hardly private: Everyone knows everyone else in the building, and friends, children, lovers, and ex-husbands are constantly dropping by. Families are constantly rearranging themselves, incorporating new members and unexpected guests. In the first of "Two Short Sad Stories," Faith cooks breakfast for her ex-husband and her new husband as the children swarm around her. Both men are disappointed by the eggs.

Rather than cordoning off the domestic, Paley positioned the family in her fiction within collective life. Many of her stories take place in public or institutional spaces: parks and playgrounds, hospitals and nursing homes. In these settings, privacy is an illusion. Visit a father in the hospital and you'll field commentary from an unseen patient in the neighboring bed. Visit a mother in the nursing home and another resident will intrude on the reunion. The closest one might come to privacy in Paley's world is traveling by cab through Manhattan's congested streets: apart from the city's crowds, but only temporarily.

Privacy is longed for in almost all of her stories, but it is also almost always suspect. Paley didn't believe that people could separate themselves from the concerns of those around them, nor did she think they ought to. This was one reason she believed that prisons should be located in cities, as she argued in the essay "Six Days," about the time she spent in New York's Women's House of Detention after she was arrested for protesting against the Vietnam War. Prisons should be "in the neighborhood," rather than in "distant suburbs," far from family and conveniently out of public sight. Engaging with "the unlucky and the self-hurters" should be a part of everyone's daily experience. Paley's fiction, like her political essays, charge us with moving closer to those we might rather keep at a distance.

Did you know that Justice Ruth Bader Ginsburg has a special collar she wears when she dissents from a Supreme Court opinion? (She also wore it the day after Trump got elected.)
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And yet a deep, even hopeless sense of loneliness could creep into her fiction. In "Mother," the narrator pictures her mother standing in various doorways over the years, observing, worrying, chastising. In the story's last scene, her mother stands in the doorway once again, this time to the living room, while her father sits on the couch listening to Bach. The scene recalls an earlier moment, years ago, when the couple sat in the living room listening to Mozart together and "looked at one another amazed" at the music and at their new lives in America. But that joy has since dissipated. "Talk to me a little," pleads the mother from the doorway. "We don't talk so much anymore." Her husband, a doctor, replies that he's tired. "I saw maybe thirty people today. All sick, all talk talk talk talk. Listen to the music." She comes and sits, but they don't talk. Shortly thereafter, the mother dies, and the story ends. It is a rare moment of silence and unwanted solitude in Paley's noisy world.

For Paley, there was nothing more tragic than such solitude—nothing sadder than people who couldn't, or wouldn't, engage with those around them. She made it her project, in her activism and her art, to show how life could and should be lived collectively. Her fiction was more than just empathetic: It not only sought to understand the world from the point of view of others, but also insisted on how integral this sense of connection was to the work of radical politics. Collectivity might not always be pleasant—there might be one too many people in an apartment—but it was, to Paley's mind, an irrefutable fact of life. ■

POSITIVE FREEDOM

Axel Honneth's new book tries to give renewed meaning to the socialist ideal

by MARTIN JAY

First, take a deep breath. Close your eyes to the appalling spectacle of American democracy collapsing all around us. Stop your ears to the cacophony of voices cheering on or lamenting its imminent demise. Instead, try to achieve enough inner calm to recall something that was once a source of solace: the idea of an alternative political and economic system—indeed, a whole new way of life—known as socialism. It may not be easy, because the din outside is deafening and the memory of socialism has faded for many. But only if you can summon the concentration and strength will you be in the proper frame of mind to consider Axel Honneth's *The Idea of Socialism*.

The Idea of Socialism
Towards a Renewal
By Axel Honneth
Translated from the German by Joseph Ganahl
Polity Press. 216 pp. $19.95

Honneth is best known as the leading representative of the Frankfurt School's "third generation." He is an advocate of many of the lessons and ideas of its first two generations, but over the years, he has also broken with his forebears in a variety of ways. Moving beyond Jürgen Habermas's theory of communicative reasoning, Honneth has stressed the important role that our struggle for recognition—as manifested in the pursuit of love, esteem, and respect—can and should play in egalitarian politics. He has also tried to renew the Frankfurt School's mode of social criticism and analysis by mining a wide variety of sources—Michel Foucault, the American pragmatists George Herbert Mead and John Dewey, the British psychoanalyst D.W. Winnicott—that he believes helps us better understand the pathologies of modern life, and he isn't afraid to get into debates with fellow social theorists, including with Nancy Fraser over whether recognition or redistribution should be a key to radical politics.

Hegel hovers over much of Honneth's work, and never more explicitly than in his last major effort, *Freedom's Right*. But Honneth's writings are also haunted by the question of what the radical tradition might mean in today's world. Can one rescue the socialist ideal from its history of disappointments and failures? Can democracy become more than an empty ideal in our age? Must a radical politics mean an end to all aspects of bourgeois society? Or is there a way to synthesize what's best in the socialist and liberal traditions and perhaps remake our economic system along the lines of what some now call "market socialism"?

These are not new questions. Much of the left's history in the 20th century has been marked by efforts—some more creative than others—to give renewed meaning and purpose to the socialist tradition. But as Honneth acknowledges in *The Idea of Socialism*, part of the motive behind his book is personal: He seeks to rebut recent criticisms that he has abandoned the utopian impulse in critical theory and settled for modest reforms of the present order. Although he avoids imperatives for concrete action and isn't writing a "socialist manifesto" for our time, he wants to combat the resignation of those on the left who, he believes, have abandoned all hope for radical change. To that end, he defends a particular idea of socialism—one that doesn't need to conform to the contours of the Marxist political tradition. For Honneth, this vision of socialism can be defended less from the vantage point of utopian thought experiments and more from what he sees as the practical lessons of history itself: all those "traces of social progress," as he puts it, "in

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ILLUSTRATION BY **TIM ROBINSON**

whose realization socialism has played such a decisive role for 200 years."

To parse out these traces, Honneth offers his readers an idiosyncratic history of socialism's rise and fall. After the French Revolution, whose promise of freedom was undermined, he argues, by the excessive individualism unleashed in its wake, socialists came to believe that the revolutionary goals of fraternity and equality could only be realized by reimagining freedom in terms of social cooperation and mutual recognition. This vision of socialism took shape in the context of the unbridled capitalist expansion of the mid-19th century, and it emerged as both a body of ideas and a set of social movements and political parties that sought to check the competitive excesses of the market through solidarity and cooperative interaction. Individual self-realization, these mid-19th-century socialists argued, could come about only through communal efforts that extended beyond liberalism's faith in individual rights and the republican defense of the nondomination of others. It is this notion of "social freedom"—unapologetically intersubjective, but unwilling to sacrifice the individual on the altar of an idealized collectivity—that inspires the socialism Honneth hopes to redeem.

But even at its birth, Honneth argues, the socialist project was doomed by several fatal flaws—he calls them "congenital defects"—that have haunted its subsequent history. These largely resulted from refracting the emancipatory goals of the French Revolution through the new socioeconomic realities of the Industrial Revolution. Early utopian socialists like Saint-Simon and Fourier, recoiling from the revolutionary violence of the late 18th century, emphasized social and economic change instead of political emancipation; and in the years to come, Marx, Engels, and the socialist movements they inspired also came to focus on what some called the material "substructure" of society, rather than on its cultural or institutional "superstructure." The result was an excessive focus on economic change at the cost of its political counterpart. Lamentably, this imbalance often led to a dubious reduction of individual liberty to little more than an ideological reflection of bourgeois class interest. It also resulted in a blindness to the complexities of an increasingly differentiated modern world and an exaggerated faith in the role that the proletariat might play in inaugurating a new socialist society.

These questionable assumptions, in Honneth's view, allowed Marxists to believe that the inevitable crisis of capitalism would blaze a clear developmental path to its redemptive successor. Because of this inevitability, many socialists—even those involved in parliamentary and revolutionary action—demonstrated a near-fatal indifference to those efforts that sought to discipline the market without eschewing the protections afforded by liberal rights and constitutions. Blinkered by an a priori reading of historical trends, Honneth concludes, "socialist theory would henceforth be bound to the virtually transcendent precondition of an already present social movement, even though it was necessarily unclear whether it actually existed in social reality."

Although praising Eduard Bernstein's revisionist appreciation of the value of pluralist democracy, Honneth credits the founders of the Frankfurt School with casting the first empirical doubts on the existence of a revolutionary proletariat and thereby helping to renovate the socialist tradition. But with their faith in the working class now lost, many in the Frankfurt School began to develop a socialist theory that no longer had clear links to activism on the ground. As a result, their mode of social critique threatened to descend into moral outrage rather than concrete politics, a weakness of "utopian socialism" that Marx had damned—and, one might argue, that continued to define competing socialist traditions like British Fabianism.

Given that these major pillars of 19th-century socialism crumbled in the early 20th century, one might ask: Can the idea of socialism still motivate our actions, or should we work through our "left melancholy" and acknowledge it as a beloved object whose loss we must mourn and ultimately leave behind? Honneth is committed to the former position, but he insists that socialists need (among other things) to move beyond Marx's totalistic depiction of capitalism and abandon his belief that it will inevitably be overthrown by a revolutionary class of workers. They must also recognize, Honneth asserts, that whatever socialist society emerges in capitalism's wake will still need the market mechanisms and political practices that were developed in the liberal bourgeois era.

Drawing on Dewey, among others, Honneth makes a case for this alternative vision of socialism by insisting that we begin to understand the idea as calling for an ongoing process of social and political experiments, one in which "new groups constantly seek to draw public attention to their own demands by attempting to tear down barriers to communication and thereby expand the space of social freedom." There is a rich tradition of egalitarian politics beyond the Marxist and Leninist parties from which leftists can draw inspiration, but one of the keys to these experiments, for Honneth, is their inherently democratic nature. Although different oppressed groups may air their grievances and push their demands, these socialist experiments must be addressed to the citizenry in general.

Because of the irrevocable differences in culture, language, and values found in modern life, Honneth contends, such a citizenry will never have one clear idea of what a socialist society should look like; instead, it will be the product of democratic deliberation and compromise, and will therefore require fostering what he calls "social freedom" not only in the economic sphere, but also in those of personal relations and political action. Unlike Marx and many of his followers, Honneth refuses to efface the differences between various spheres—economic, political, civil—that make up contemporary social life, and it is here where Hegel becomes relevant. While Marx and Marxists advocated the reconciliation of politics and economics, Hegel argued that by keeping the different spheres of social interaction separate, one could create a more harmonious and organic society.

The division of labor necessitated by the complexity of advanced societies could not be overcome by restoring these societies to some kind of putative preindustrial wholeness. Socialism, as Honneth reimagines it, would have to accept the different spheres that make up modern society. Instead of trying to erode them, it would need to place them into "a rationally integrated, harmoniously arranged order" where the steering mechanism is the "public sphere," in which all citizens will play an equal role. Taking global interdependence into account, this socialism of the future would also need to operate on both a global and a local scale, and it would have to jettison not only the notion of a revolutionary subject, but also that of revolution itself as a total break with the current order. It would, in other words, have to abandon the older notions of utopia as a perfected form of life and understand socialism as an endless task involving constant experiments in new social arrangements.

Honneth opens *The Idea of Socialism* with a question: "why do visions of socialism no longer have the power to convince the outraged that collective efforts can in fact improve what appears 'inevitable'?" And though he forthrightly tells us why such visions, flawed in

the ways he cogently describes, have faded in the past, we are still left with the question as to why these visions have not taken off today. There are, to be sure, sporadic resurgences of socialist enthusiasm—exemplified by the Sanders campaign in the United States and the rise of Jeremy Corbyn in the British Labour Party—but they rarely translate into programmatic change by sympathetic politicians able to gain real power. Too often the ideal of "democratic socialism" turns oxymoronic when put to the test, since building a viable popular coalition dilutes the socialist goals, while focusing strictly on socialist programs often means sacrificing the support of a broad cross section of the population (see the unfolding debacle in Venezuela).

There is, alas, not much in Honneth's new book to inspire confidence that the idea of socialism can easily be transformed into a practical political and economic program. One obvious reason is that the hangover from the cataclysmic failure of "actually existing socialism" in the former Soviet bloc hasn't fully lifted. It is, after all, now a full century since the first great historical attempt to repeal and replace capitalism was launched, and we still have very few examples of socialism in practice that have succeeded. Subsequent experiments in the post–Cold War years, such as Hugo Chávez's, raised hopes for some, but the aftermath has not been encouraging, to put it mildly. The surviving soi-disant socialist countries, such as China, Vietnam, Laos, Cuba, and North Korea, are moving more toward state capitalism—ironically steered by a Leninist vanguard party—than anything that could plausibly be said to serve the cause of the kind of social freedom that Honneth extols.

Nor is it clear that there is much enthusiasm for the more realistic micro-experiments that Honneth hopes will foreshadow these viable alternatives. "No experiments!" served as the successful electoral slogan of Germany's Christian Democratic Union in the 1957 Bundestag elections, and there are many on all sides of the political spectrum who have come to share the sentiment. In fact, if we honestly acknowledge the experimental audacity of Trump's agenda, it may well be that American progressives and leftists will be the ones forced to embrace, at least for the moment, the wisdom of moving slowly and preserving what has already been gained in our decidedly non-utopian system.

There is, of course, considerable and justified discontent with that system, and capitalism in all its motley variety remains an inviting and deserving target. But such discontent now manifests itself more in the volatile idiom of populism than in anything that resembles Honneth's inclusive idea of democratic socialism. Populism is notoriously hard to define, but one of its abiding characteristics is the division of the world into friends and enemies, victims and perpetrators, the people and the elites. While often protesting real injuries and identifying real villains, it can too quickly degenerate into projection, resentment, and scapegoating, opening its adherents to those demagogic appeals to the baser instincts that so often spur political and social action. Although it offers plenty of recognition (or, perhaps more correctly, misrecognition), it is not of the mutually respectful and affectionate kind that Honneth hopes will underpin the solidarity that could enable his vision of socialism. Despite the efforts of left populists to be inclusive on non-ethnocentric lines, it is sobering to recall that the chilling epithet "enemy of the people" began its long and dubious career with the French Revolution, during the Reign of Terror.

It is clearly wrenching for the many people who so long dreamed of a socialist alternative to modern capitalism to acknowledge the diminishing likelihood of realizing their hopes. But arguing that it may finally be time to do so doesn't mean emulating previous moments of leftist disillusionment, for the idea of socialism, Honneth reminds us, has led to many accomplishments of which its devotees can rightly be proud. It does mean, however, that at least for the moment, it may be more prudent to defend what is increasingly under threat.

Moving beyond old leftist pieties may not be enough, but saving the adjective in "democratic socialism" seems more exigent at the moment than striving to realize the noun. What is left of the American welfare state, which for so long was denigrated by socialists as a strategy for maintaining rather than subverting capitalism, is now under mounting threat. The energy spent trying to disentangle an idealized, unrealized version of socialism that can still inspire confidence from all of the distorted, ineffective, and often counterproductive alternatives that litter its history may thus be better expended on other urgent tasks. Dreaming the utopian dreams that prolong our dogmatic slumber may not provide the most effective ammunition against the menace of dystopia that is looming before us. ■

The United States Welcomes You

Why and by whose power were you sent?
What do you see that you may wish to steal?
Why all this dancing? Why do your dark bodies
Drink up the light? What are you demanding
That we feel? Have you stolen something? Then
What is that leaping in your chest? What is
The nature of your mission? Do you seek
To offer a confession? Have you anything to do
With others brought by us to harm? Then
Why are you afraid? And why do you invade
Our night, hands raised, eyes wide, and mute
As ghosts? Is there something you wish to confess?
Is this some enigmatic type of test? What if we
Fail? How and to whom do we address our appeal?

TRACY K. SMITH

AGRICOLE, 2016 (COURTESY OF ALEXANDER GRAY ASSOCIATES / © MELVIN EDWARDS / ARTISTS RIGHTS SOCIETY)

DO SOMETHING WITH IT

The ambiguous sculptures of Melvin Edwards and Rachel Harrison

by BARRY SCHWABSKY

Melvin Edwards is one of those artists who keep getting noticed for having been overlooked. Even back in the 1980s, when Edwards was in his 50s, he was already going through the "Congratulations on being discovered… again!" stage. Here in New York, he's been a regular at museums and nonprofit spaces, starting with a show at the Whitney Museum as far back as 1970, but it took him until 1990 to find a gallery; since 2010, he's been showing regularly with Alexander Gray Associates, which recently presented his newest work under the title "In Oklahoma" (many of the pieces having been made on a residency there). In the last few years, he's gained an international audience, with one-person exhibitions in London, Paris, and Berlin, not to mention his participation in the 2015 Venice Biennale; later this summer, his work will be included in an important exhibition at the Tate Modern in London, "Soul of a Nation: Art in the Age of Black Power." Maybe this time, the rediscovery will be for good.

Given the force and inventiveness of Edwards's work, it is hard to believe that racism wasn't part of the reason it took the gallery world so long to give the sculptor his due. But it's also true that he worked at a tangent to the dominant sculptural trends of his time. Many of his contemporaries were convinced that the mainstream of American sculpture passed through the minimalism of Donald Judd and Carl Andre, with its simple, additive rectilinear forms, to the disorderly "anti-form" works of Robert Morris and Robert Smithson, in which—as Morris put it—"random piling, loose stacking, hanging, give passing form to the material. Chance is accepted and indeterminacy is implied." By such criteria, Edwards's welded-steel sculptures, upholding the modernist tradition inaugurated by Picasso and Julio González in the 1920s and continuing through David Smith in the '50s, might have seemed backward-looking—too monumental, too rhetorical, too humanistic.

In retrospect, it's clear that this self-defined mainstream was far too narrow. One can't help but notice that, brilliant as Andre's innovations were, he was never able to develop them—his art became mired in repetition—while Morris found a way forward in sheer eclecticism, veering wildly between neo-expressionist bombast and conceptual enigmas. Edwards, by contrast, has proceeded with great equanimity and concentration to keep unfolding the unexpected consequences of the work he began more than 50 years ago.

The most obvious continuity within Edwards's oeuvre has been his recurrent production of a series of small, wall-based sculptures that he calls "Lynch Fragments." They first appeared in 1963, and he's made them intermittently ever since, with several new examples in the recent exhibition at Alexander Gray. In these pieces, Edwards puts the accent on the weight and density of his materials—all sorts of found metal objects, including tools, machine parts, and, perhaps most notably, lengths of chain. Given the series' title, it's not surprising that these have often been seen to "evoke the manual labor associated with slavery and oppression"—an analysis that might reflect the particular narrowness of our own mainstream.

In the recent exhibition, the Lynch Fragment *For Miyashiro* (2017)—named for an artist friend of Edwards's who died last year—incorporates, along with the usual chain links, a wrench, a horseshoe, and a padlock, among other things less identifiable to me. The sculpture's scale and rough symmetry just might make you want to find a metaphor for a human head in it, but the work seems neither to demand nor rebuff any particular narrative or figurative connotations. And anyway, to my eye, the associative connotations, though inexpungible, remain secondary. Instead, the artist's fascination with the formal experience of art seems paramount—for instance, how to evoke feelings of linear movement in three dimensions, or how to give monumental force to a fairly small object. As I looked at the

piece, I became more and more involved in and aware of my activity of perception. And I came to realize that it is my vision, as it has been drawn into the complex interrelations of the positive and negative, open and closed parts of the work, that created the sculpture's scale and discovered the largeness and seriousness of purpose that justify the historical freight evoked by the series' title.

Also on view was *ARK-LA-TEX OK* (2016), a suite of four Lynch Fragments: three mounted in a row along one wall, the fourth installed kitty-corner to them, with each piece in the trio connected to the final piece by a length of barbed wire. The three curved but spiky lines form a rhythmic sequence that both calls attention to the corner and keeps the viewer out of it. The wires discourage trespass while demanding that you look at them as, simply, lines, like roughly drawn marks on paper that conjure an imaginary space. The real corner, distanced, becomes an idea about corners.

Two Is One (2016) is a pair of Lynch Fragments set similarly on adjacent walls, but with a chain—rather than the visually and materially lighter, though more immediately threatening, barbed wire of *ARK-LA-TEX OK*—hanging across the corner between them. The gallery offered a commentary pointing out that this "contrasts the soft curve of chain and angled corner of the room," which is true enough, but just as important to my mind was the contrast between the fluidity of the chain's arc (which, thanks to the unfixed connection between its links, responds to the pull of gravity) and the fixed relations of the welded, mostly rectilinear forms that make up the two wall-bound constructions, which have been given a stable form that resists gravity.

Though Edwards has worked on every scale over the years, "In Oklahoma" consisted of relatively small works, but his use of wires or chains as linear elements can make a small object occupy a large space. *Agricole* (2016) is a dramatic piece that feels much bigger than it really is. Its most prominent element is a plowhead arranged to look something like the visor of a military helmet. It hangs from the ceiling by three taut chains; a fourth chain hangs in a loop from the object itself. One feels the distinction between the chain that hangs loose, that exists as sheer visual gesture, and the chain used functionally, which works under tension. Both are necessary to Edwards's art, but it is the ostensibly supportive lines occupying the space just above one's head that give the work its expansive scale.

Perhaps all this goes to show that, while it's impossible to see chains or barbed wire, wrenches or horseshoes without searching for meaning in them, in Edwards's art their connotations are fluid; meanings are not welded fast but joined together loosely, like the links of a chain. As in life, so in art: Meaning is situational—"theme and variation on ideas," as Edwards once called it. I remember something he told me years ago when I went to see him at a show he was having at the Jersey City Museum: "If your car is broken down in the Jersey woods, you're happy to see them coming with the chains."

Next door to the Alexander Gray gallery, Greene Naftali was showing works by Rachel Harrison, a sculptor some 30 years younger than Edwards. Unlike Edwards, Harrison hasn't had to wait to be discovered and rediscovered—she's been acclaimed pretty much since she started showing in the mid- to late 1990s. Like Edwards, Harrison enjoys playing with the ambiguities of form and reference, using concatenations of fragments that flirt with meaning while avoiding the declarative mode.

I had to look up the exhibition's title, "Prasine." On Wiktionary, I found it defined as "A green gem; an emerald" and "A type of green pigment," with the following etymology: "From a combination of Anglo-Norman *prame*, Middle French *prame* (from Late Latin *prasinus*) and Middle French *prasine* (from Late Latin *prasinum*), both ultimately from Latin *prasinus* ('leek-green')...." Come to think of it, there was a good bit of green spread throughout the show, though none of it put me in mind of a leek or anything else I'd want to eat. There were light-green packing peanuts and the darker-green plastic bristles of a broom, for instance, two of the many elements in *Winged Victory* (2017). The greens are nicely set off by a bright-red parachute cord at about calf level, which, not unlike Edwards's barbed wire or chains, secured the assemblage to a metal stanchion way on the other side of the gallery. (At the opening, it took two gallery assistants on constant watch to keep guests from tripping over this cord; I wondered if they were actually part of the piece, but on my second visit they were gone, replaced by a warning note on the door.) There was also the bright-green dolly (or, to be more specific, the Nu-Wave drywall cart, as the gallery checklist tells me) in *Bear Ears* (2017)—the title refers to a pair of mesas that give their name to an area in Utah that was declared a national monument by President Obama in the waning days of his administration, an action his successor is reconsidering. The cart serves as a sort of base for a massive, rather amorphous boulder-like object (I think this is the wood, chicken wire, polystyrene, cardboard, burlap, and cement cited in the same checklist) that's mostly painted purple, with some passages of a similar green. A soccer ball sits atop this lumpy mass, which also sports, like a single earring, a little USB flash drive plugged into it; the flash drive contains—again according to that indispensable checklist—38 films by Harun Farocki, the late German experimental filmmaker.

If this work were mine to do with as I pleased, I'd be tempted to remove the USB stick and download its contents to my laptop, thereby verifying that Harrison's sculpture did indeed harbor these examples of a "self-reflexive, cinematic Cubism in which the medium itself, as a vehicle of truth, is subject to radical doubt," to quote Ken Johnson in *The New York Times*. But I admit to being glad that I was unable to assure myself of the checklist's accuracy; the penumbra of uncertainty left around the work fits in with my sense of what makes Johnson's description equally applicable to Harrison's work (as long as you take "cinematic" as metaphorical in her case).

Like Edwards, Harrison puts found things we can recognize together with materials that have been manipulated in such a way that their original form is lost. And those found objects—Edwards's hammers and plows, chains and horseshoes; Harrison's handcarts and USB drives, stanchions and packing materials—retain all their day-to-day associations even as their juxtapositions resist any coherent statement or story. These sculptures are not rebuses: A drywall trolley makes you think of construction work just as much as a plow head does of farming, but Harrison no more intends to make a moral point about the building trade than Edwards does about agriculture. In both cases, a question is raised about the relation between creating art and other, perhaps more obviously useful forms of work. But further thought might make you wonder whether the question is really a question; the only answer given lies in the artist's quizzical consideration of things as they are. Such art starts with the work of simply wondering.

But doesn't an important difference lie in Edwards's propensity to weld the parts of his sculptures together, in contrast to Harrison's preference for juxtaposing elements without actually making a permanent bond between them? A piece like Harrison's *Every Sculpture*

Needs a Trap Door (2017) seems like an open invitation to overenthusiastic tidying-up—I can just imagine the news story about someone on the cleaning staff tossing away that little container of push pins lying on one of the sculpture's surfaces, along with the several pages of printed text lying next to it, onto which someone has spilled something, leaving a big stain that makes the front page pretty much illegible. (It's the text of a 2005 lecture by performance artist Andrea Fraser: "Why Does Fred Sandback's Work Make Me Cry?")

But just as Edwards works with unattached pieces as well as attached ones—his *Homage to Oba Ewaure II of Benin City, Nigeria* (2016–17), consists of three separate steel elements lined up: two attached to the wall, the third a ladder leaning against it—the unfixed elements in Harrison's pieces are nonetheless conceptually fixed. If someone were to take away that little box of push pins and the stained pages, they could immediately be replaced without much problem. In that sense, the apparent freedom and looseness of Harrison's compositions are something of an illusion, just as the finally fixed forms of Edwards's welded sculptures serve in part to obscure the fact that they are the product, in part, of highly spontaneous improvisations with whatever has come to hand, and might easily have turned out differently if the artist had approached them on a different day, in a different mood.

So much for what I might call the sculptors' *material* materials—that is, the physical objects they incorporate into their work. Because there are also, so to speak, immaterial materials: semantic and cultural objects, like the references to esteemed colleagues or forebears (Ronald Miyashiro, Harun Farocki) or to current or historical events (the controversy over the Bear Ears National Monument, the horror of lynching). Edwards's Lynch Fragments don't make me think about lynching by any other means but their titles; nor does Harrison's *Bear Ears* contain any other allusion to the current land-use controversies out west pitting Native rights and environmental concerns against commercial development. At best, the titles' relation to the works they represent is as loose as the links of a chain, or as tenuous as a sheaf of papers sitting on a window sill, liable to be blown away by a single strong breeze.

Lately, there's been a strong push for artists to explain themselves, to provide an ironclad justification for their specific choices. Time spent with Edwards's and Harrison's sculpture serves as a reminder that most good artists don't work like that. They make connections that are intuitive, that feel right in the moment, and then look to see what further connections suggest themselves as a consequence—sometimes, the more unlikely the better. Jasper Johns famously spelled it out in his simple note to self: "Take an object. Do something to it. Do something else to it." For some artists, simply placing an object next to another is a way to transform it. This includes words: When Edwards or Harrison title their works, it sparks off an energy that spreads in all directions. If you're lucky enough to catch some of that energy, your best bet is to savor the mysteries and doubts it leaves you with, and ignore any irritable propensity to demand a reason. ■

An Old Story

We were made to understand it would be
Terrible. Every small want, every niggling urge,
Every hate swollen to a kind of epic wind.

Livid, the land, and ravaged, like a rageful
Dream. The worst of us having taken over
And broken the rest utterly down.

A long age
Passed. When at last we knew how little
Would survive us—how little we had mended

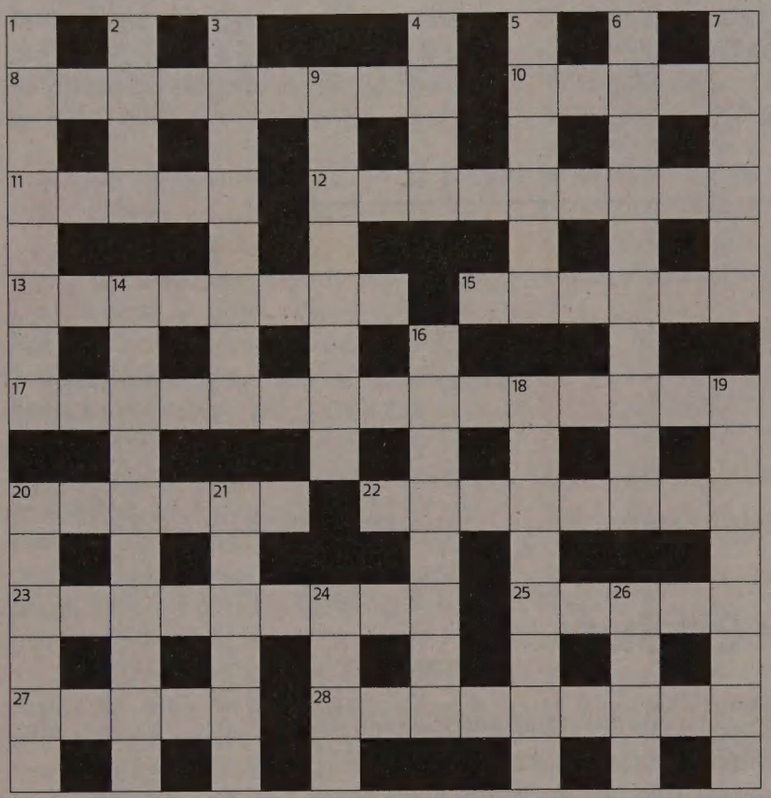
Or built that was not now lost—something
Large and old awoke. And then our singing
Brought on a different manner of weather.

Then animals long believed gone crept down
From trees. We took new stock of one another.
We wept to be reminded of such color.

TRACY K. SMITH

Puzzle No. 3436

JOSHUA KOSMAN AND HENRI PICCIOTTO



ACROSS

8 Brave pair follows Laurel, carrying platinum (5,2,2)

10 Coal worker is more delicate after 17 (5)

11 Pace beginning of Tennyson poem in translation (5)

12 Whistle-blowers bringing in more unreliable Republican progressives (9)

13 Upset Marc Griffith's attractive date (3,5)

15 Covered and lodged after 17 (6)

17 Doctor Strange sees minx for surgical procedure (3,12)

20 After 17, violin's center (6)

22 Quieted down and mimicked eating vegetables (8)

23 People fighting Cartesians in speech (9)

25 Dance is neither here nor there (5)

27 Pass off damp after 17 (5)

28 Big-as-life clues fall in disgrace (4-5)

DOWN

1 Hot packs on the wrong road south—you don't often find them in cars anymore (8)

2 After 17, farm animal is placid (4)

3 Lawyer's commercial: "Cast a ballot to annex California" (8)

4 After 17, soil some bread (4)

5 Auntie and sib hold tail of gradually developing organism (6)

6 Fred (a Greek character) flips over cracked seed and starves (10)

7 Obliterated *Times* editor (6)

9 European capital encompasses, these days, a bit of Eden (place of bliss) (8)

14 Aimed for use of multiple artistic resources (5,5)

16 Getting rid of rising bribes within ring (8)

18 Teases soprano? That's uncalled-for (8)

19 Young swimmers arrange lead spot (8)

20 Change my dog's name back inside (6)

21 Classic novel's expression of hilarity—it amuses at the start (6)

24 Vault is unaltered after 17 (4)

26 Substance of accomplishment after 17 (4)

SOLUTION TO PUZZLE NO. 3435

ACROSS **1** DA(PH)NE **5** anag. **10** UP TO SNU (anag.) + FF **11** MA(CH)O **12** DRAW + BRIDGE **13** 2 defs. **15** initial letters **16** A(ISLE)S + EAT **18** NO(C)ON + TEST **20** C + ACT I **22** hidden **23** letter bank **26** I + N(L)AY **27** CRE(M)ATION **28** T(IG)RESS (*G.I.* rev.) **29** rev.

DOWN **2** AT + TRACT **3** HAS(H)BRO + W[i]NS **4** ELUCI (anag.) + DATE **5** BEF + OG (rev.) **6** P + UMP **7** DE-CEASE **8** LION + EL + TRILLING **9** FUN + DAME + NT + A-LIST **14** P(ERCENT)AGE (*center* anag.) **17** SOT + O'S + PEAK **19** CA + TA + LOG **21** CU(I + SIN)E **24** [f]OR CAS[h] **25** "hide"

	D	A	P	H	N	E		B	I	P	E	D	A	L
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How To: Fix Your Fatigue and Get More Energy

According to patients at the Center for Restorative Medicine, a discovery has completely transformed their lives.

Founder and Director **Dr. Steven Gundry** is a world-renowned heart surgeon, a best-selling author, and the personal physician to many celebrities. But his breakthrough could be the most important accomplishment of his career.

Dr. Gundry has unveiled a simple — yet highly effective — solution to issues that plague millions of Americans over 40: low energy, low metabolism and constant fatigue.

"When you're feeling low energy, that's your body screaming **HELP!**" Dr. Gundry's radical solution was inspired by a breakthrough with a "hopeless" patient who had been massively overweight, chronically fatigued and suffering from severely clogged arteries.

The secret to his breakthrough? **"There are key 'micronutrients' missing from your diet,"** Dr. Gundry said, "If you can replenish them in very high dosages, the results can be astonishing."

This unorthodox philosophy is what led Dr. Gundry to create an at-home method for fatigue — which has since become remarkably successful with his patients.

"They're reporting natural, long-lasting energy without a 'crash' and they're

feeling slim, fit and active," he revealed yesterday.

Dr. Gundry's team released a **comprehensive video presentation** , so that the public can be educated as to exactly how it works.

Watch the presentation here at **www.GetEnergy17.com**

Within just a few hours, this video had gotten thousands of hits, and is now considered to have gone viral. One viewer commented: "If this works, it's exactly what I've been praying for my whole life. I've never seen anything like this solution before…the truth about my diet was shocking and eye-opening."

It makes a lot of sense, and it sounds great in theory, but we'll have to wait and see what the results are. Knowing Dr. Gundry, however, there is a great deal of potential.

See his presentation here at **www.GetEnergy17.com**

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